

June 2, 2025

A REGULAR MEETING of the Akron Village Board was held on this date at 7:15 pm. Present: Mayor: Brian T. Perry; Trustees: E. Peter Forrestel, Michael R. Middaugh, and Darin S. Schultz; Clerk Jayne DeTine, Treasurer Sarah Michel, Police Chief Richard Lauricella, Public Works Manager Jon Cummings, and Code Enforcement Officer Mike Borth.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Middaugh and seconded by Schultz that the Minutes of the Regular Meeting of May 19, 2025 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 Forrestel seconded by Schultz 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	\$	36,256.62
Electric Fund	\$	81,233.20
Water Fund	\$	10,662.62
Sewer Fund	\$	9,137.51

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 that the following building permits be and hereby are approved with the application and approval of the Code Enforcement Officer:

Mallory Brewer	8 Crescent Dr	Fence	\$50.00
Steven Wajda	116 East Ave	Shed	\$50.00
Kaitlyn Babiarz	58 Cedar St	Driveway	\$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 Middaugh that the following application for a Plumbers License for the year 2025 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$75.00:

Dean Smith	Lancaster, NY	Renewal	\$75.00
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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 Middaugh that the following applications for a Peddlers License for the year 2025 be and hereby are approved in accordance with the application filed and payment of the annual license fee of \$100.00:

Papa’s Popcorn	Clarence Center, NY	Annual	\$100.00
Babz BBQ	Clarence, NY	Annual	\$100.00
Maria’s BeneCIBO	Lockport, NY	Annual	\$100.00

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

PUBLIC HEARING – None

APPEARANCE – None

PUBLIC COMMENT – None

PROJECT REPORTS –

Wastewater Treatment Plant Upgrade – Letter to CIR was sent and an email response was sent back stating they would like to finish the project. Attorney Borden will send a letter to give them until June 30th to finish the items still left to complete.

Electric Substation Upgrade – Nothing new to report.

State Street Bridge – Mayor Perry stated a Bond Resolution is on the agenda tonight under New Business.

East Avenue Water/Sewer Line Replacement – Nothing new to report.

Water Tank Improvements – Nothing new.

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – excused absence.

CLERK – submitted report for May 2025. Reported: Attended Fair Housing Law Webinar as the Village’s Affirmative Action Officer on May 7, 2025. The Village is required to attend a class or webinar on the Fair Housing Law every three years to be eligible for CDBG funding. We are now eligible through 2028; Organized and worked the Annual Household Hazardous Event with the Jon Cummings and the DPW setting up the event at the Joint Facility for a timely and effective way to move cars in and out safely; Attended the MAOA meeting on May 17, 2025; Coordinated with Logics Software and Office staff to prepare, receive, and mail out the 2025-2026 Village Tax bills; Office staff printed, sorted, mailed the June 2025 Utility bills; lastly reported the installation of a secure door for the Village Hall coat room.

CHIEF OF POLICE – submitted report for May 2025 and schedule for June 2025. Reported: Special thanks to Officer Mark Martinelli for volunteering his time at the White Whiskers ribbon cutting ceremony, which was well attended; Recommend moving Officer Pazderski from hire rate to patrol rate; Durango is currently out of service. Discussion of speed limit on Clarence Center Road.

PUBLIC WORKS MANAGER – Reported: Catching up on all the Spring duties; DPW/Electric crew helped Woodstream Nurseries with the amphitheater in Russell Park; Installed the directory in Russell Park; reported that yard and brush pickup has been heavy this Spring.

CODE ENFORCEMENT OFFICER – submitted report for May 2025. Reported: Busy with building season; reviewing for Industrial permits; discussed Zombie properties; also discussed 89 Skyline Drive and 44 Cedar Street.

AKRON FIRE COMPANY – reported at the earlier work session.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Norton – Excused Absence.

Trustee Forrestel – reported: Legion request is for 60’ of Village owned property on the corner of Eckerson Ave and Clinton St; Amphitheater coming along nicely.

Mayor Perry – Attended ribbon cutting for White Whiskers Dog Sanctuary on May 31, 2025, great turn out; also thanked Officer Mark Martinelli for volunteering his time at the ribbon cutting; requested an Executive Session for personnel issues.

Trustee Middaugh– reported: Directory has been installed in Russell Park; Celebration committee attended the earlier Work Session to discuss the new flag/ball drop pole.

Trustee Schultz – Emergency Services Committee had a meeting where safety issues were discussed such as parking on one side of Clinton St, Franklin St, and John St on the opposite side of the fire hydrants and other safety issues for the upcoming events.

OLD BUSINESS

Eckerson Avenue Property Development – Trustee Forrestel reported waiting on one more quote for the timber shelter.

American Legion/LL Tillman – Trustee Forrestel will contact Attorney Borden to relay the exact footage requested from the Legion.

Electric Rate Case – Treasurer Michel is waiting on the Union Contracts to be approved before sending wages to PLM.

Russell Park Shelter – Dave Sutton working on plans for rehab of shelter. Work will begin after the summertime events.

Russell Park Amphitheater- Trustee Forrestel reported that the project is well on its way and looks to be completed by June 20th for the first band concert.

NEW BUSINESS –

RESOLUTION duly moved by Forrestel and seconded by Schultz to approve the Akron Leak Allowance Application submitted by Russell Felski for relief on his water bill due to a furnace pressure relief valve leak at his home located at 10932 Tinkham road, Darien, NY 14040 be and hereby is approved with receipt of the proper paperwork submitted.

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

RESOLUTION duly moved by Shultz and seconded by Middaugh to approve the 2025 Akron Central School SRO Agreement 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

RESOLUTION duly moved by Schultz and seconded by Middaugh to move Part-time Police Officer Brian Pazderski from Grade 3 Hire Rate to Grade 3 Step 1 on the completion of his six-month probation period effective May 29, 2025 as per the recommendation of Chief of Police Lauricella 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 Schultz and seconded by Perry to approve the hire of Michael Borth as part-time Code Enforcement Officer effective June 9, 2025 as per the Code Enforcement, Planning, Zoning Committee 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 Forrestel and seconded by Middaugh to approve the following Bond Resolution:

BOND RESOLUTION OF THE VILLAGE OF AKRON, NEW YORK, ADOPTED JUNE 2, 2025, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 TO FINANCE THE REPLACEMENT OF THE STATE STREET BRIDGE OVER MURDER CREEK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

THE BOARD OF TRUSTEES OF THE VILLAGE OF AKRON, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Akron, in the County of Erie, New York (herein called the "Village"), is hereby authorized to issue bonds in an principal amount not to exceed \$2,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the replacement of the State Street Bridge over Murder Creek.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$2,500,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is anticipated that grant funds will be available to pay all or a part of the cost of the project. Any such grant funds are hereby authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes, and the principal amount of bonds or notes issued shall be reduced by the amount of grant funds received.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized, pursuant to Section 11.00 a. 10 of the Law, is twenty (20) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with

substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper of the Village.

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

RESOLUTION duly moved by Forrestel and seconded by Schultz to approve the Russell Park reconstruction of the Memorial area with a new flagpole which will also be used for the annual New Year's Eve Ball Drop and to spruce up the area with the help of the Legion and Celebration Committee 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 Forrestel and seconded by Schultz to authorize the Mayor to sign the Agreements with Municipal Solutions for the State Street Bridge Project and for the Management of existing Bonds be and hereby are approved.

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

CORRESPONDENCE – None

PUBLIC COMMENT – Steven Seligmann commented on the speed limit on Clarence Center Rd. Kay Green from the Akron Mobil Park mentioned that cars were still parking on the corner of Indianola Ave and Bloomingdale Rd.

Attorney Borden entered the meeting. 8:10 pm

EXECUTIVE SESSION –

RESOLUTION duly moved by Schultz and seconded by Middaugh 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 8:14 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 Forrestel and seconded by Schultz 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, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation at 9:07 pm be and hereby is approved.

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

On motion of Forrestel and seconded by Schultz at 9:08 pm this meeting was ADJOURNED.

MAYOR

CLERK