

September 22, 2025

A REGULAR MEETING of the Akron Village Board was held on this date at 7:05 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, Treasurer Michel, and Public Works Manager Jon Cummings.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Middaugh and seconded by Norton that the Minutes of the Regular Meeting of September 8, 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
	JOHN W. NORTON	- 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	\$	36,152.17
Electric Fund	\$	153,876.51
Water Fund	\$	88,812.42
Sewer Fund	\$	10,468.19

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

Barry Sweitzer	48 East Ave	Windows	\$50.00
White Whiskers	35 Lewis Rd	Generator	\$50.00
Kara Meyers	13 Lewis Rd	Roof	\$50.00
Tracy Oakes	107 John St	Sanitary Sewer	\$100.00
Stacey Mancuso	29 Wesley Dr	Windows	\$50.00
Thomas Smart	16 Cedar 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 Middaugh 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:

Charles Rebman	3 State St	Temporary	\$50.00
Cheree Caprio	27 Bloomingdale Ave	Temporary	\$50.00
Kara Meyers	13 Lewis Rd	Temporary	\$50.00

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

JOHN W. NORTON - AYE

PUBLIC HEARING – Clerk DeTine requested authorization to hold a Public Hearing regarding the 2026-2027 Community Development Block Grant (CDBG) Program on October 6, 2025 at 7:00 pm. The Clerk also requested authorization to hold a Public Referendum to amend the Service Award Program for the Akron Fire Company Volunteers in a Special Election scheduled for December 2, 2025.

RESOLUTION duly moved by Perry and seconded by Norton to hold the 2026-2027 CDBG Public Hearing on Monday October 6, 2025 at 7 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 Schultz and seconded by Middaugh to hold a Public Referendum to amend the Service Award Program for active volunteer firefighter members of the Akron Fire company, Inc.

WHEREAS; In accordance with Article 11-A of the New York State General Municipal Law, eligible voters residing in the Village of Akron approved a proposition to establish a Defined Contribution Service Award Program, effective January 1, 2003 for active volunteer firefighter members of the Akron Fire Company, Inc.

WHEREAS; such Service Award Program is administered by the Village of Akron and provides that an active volunteer firefighter currently earns a \$650 Service Award contribution for each calendar year, during which the volunteer firefighter earns 50 or more points under the Service Award Program Point System; and,

WHEREAS; Article 11-A currently allows annual Service Award contributions to be as much as \$1,200; and,

WHEREAS; Article 11-A authorizes the Village of Akron Board of Trustees to seek voter approval of amendments to the Service Award Program that will improve Service Award Program benefits and thereby are intended to help the Akron Fire Company, Inc. recruit and retain active volunteer firefighters.

NOW, THEREFORE, BE IT RESOLVED, That:
The Village of Akron Board of Trustees, as authorized by Article 11-A of the New York State General Municipal Law §216, directs that there shall be a public referendum of eligible voters of the Village of Akron, in an election to be held on December 2, 2025, to determine whether the Akron Fire Company, Inc. Service Award Program shall be amended effective January 1, 2026 to increase the annual Service Award contribution from \$650 to \$1,200 for each calendar year beginning after December 31, 2025 during which an active volunteer firefighter earns a year of service credit under the Point System.

Based on the current active volunteer firefighter roster, the cost of funding the current Program could be as much as \$14,950 or \$650 per volunteer if all current volunteers earn a year of service credit under the Point System. Should voters approve this amendment, the annual cost could be as much as \$27,600 or \$1,200 for each participating volunteer. The annual cost of administration the program would not change because of the adoption of this amendment. The current program administration cost is about \$3,650 per year.

All other provisions of the Akron Fire Company, Inc. Service Award Program which required voter approval shall not change and the program shall continue to be administered by the Village of Akron Board of Trustees in accordance with Article 11-A of the New York State General Municipal Law as such law is amended from time to time.

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

APPEARANCE – None

PUBLIC COMMENT – The owner of a vacant Central Business District property came before the Board to discuss the consistency of Fire Inspections in the CBD and requested a third party be assigned to complete them. Village Attorney Borden explained that the state fire code specifies that the Village’s Code Enforcement Officer is authorized to complete the fire inspections.

PROJECT REPORTS –

Wastewater Treatment Plant Upgrade – Trustee Forrestel stated that he is working with Attorney Borden and CPL Engineer Eric Wies on the close out letter for this project.

Electric Substation Upgrade – still waiting on the final result of the PON grant. Public Works Manager stated that the Village will be doing the civil work for this project.

State Street Bridge – Mayor Perry reported receiving an updated timeline for project.

East Avenue Water/Sewer Line Replacement – Mayor Perry reported that the Erie County DPW office found files regarding East Avenue from 2012. He also mentioned that the County will be using MRB Group for their portion of this project too.

Water Tank Improvements – Public Works Manager Jon Cummings stated that MRB Group held discussion on flushing points on the main transmission line at a pre-con meeting held the 15th of September. Clerk DeTine reported that the EFC grant paperwork has been submitted.

MONTHLY REPORTS –

Departments –

TREASURER – reported: Treasurer Michel stated that Village auditors, Drescher and Malecki, will be submitting our report to the state this week. She also stated that the auditors will be coming in October to begin the Village audit. Once the annual financial report is complete, she can finish the PSC report.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Norton – reported: Spoke with Chief Water Plant Operator Asmus who reported the staff is working on regular maintenance and cleaning of the plant. Also, the Water Plant Open House will be scheduled in the Spring of 2026 and that 50–55-gallon clean drums will be available for free at that time.

Trustee Forrestel – reported: He and Attorney Borden visited the Water Plant property last night for the nuisance goose season and reported the property looks good. Trustee Forrestel also reported that a response to the Union contract proposal was submitted to Union Representative Doran.

Mayor Perry – reported: He mentioned that Lions Club Member Andy Kelkenberg is seeking a quote from the Amish for the Russell Park Shelter project. He also contacted Erie County Legislator Christopher Greene inquiring if any grant opportunities were available for the Russell Park Shelter project. Lastly, Mayor Perry requested an Executive Session regarding Personnel.

Trustee Middaugh – Nothing new to report.

Trustee Schultz – Reported: Crossing Guard applicant Lisa Cole-Felski has been interviewed, and the Committee recommended hiring her for a part-time Crossing Guard position.

RESOLUTION duly moved by Schultz and seconded by Middaugh to hire Lisa Cole-Felski as a part-time Crossing Guard as per the Police, Fire, and Emergency Services Committee be and hereby be approved.

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

OLD BUSINESS

West Shore Property Development – Trustee Forrestel reported that OB Custom Timber Builders has staked out the site for the shelter.

American Legion/LL Tillman – Attorney Borden is in receipt of documents.

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

Russell Park Shelter – Work is scheduled to begin in late winter early spring. Signmatic Systems is still working on the Business Directory.

LOSAP Proposition – scheduled a Public Notice for October 6, 2025 earlier this evening.

NEW BUSINESS –

RESOLUTION duly moved by Schultz and seconded by Norton to approve the purchase from Lakelands Concrete Products in the amount of \$9,172.75 for a precast manhole for the substation upgrade as per the recommendation of Public Works Manager Jon Cummings 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 Schultz and seconded by Norton to approve the five-year 2026-2030 agreement with the Town of Amherst Central Fire Alarm using the 36.6% of 10% of Town total expense formula and have the Mayor sign it 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 Schultz and seconded by Middaugh to authorize the Mayor to sign the 2025-2028 Snow Removal and Ice Control Agreement with Erie County 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 approve the purchase from Duke’s Rooted in Innovation in the amount of \$6,645.22 for root treatment for sewer main as per the recommendation of Public Works Manager Jon Cummings 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

CORRESPONDENCE –

Letter from Northern Erie Sno-Seekers requesting the use of the West Shore Line bike path for their 2025-2026 Snowmobiling Season.

RESOLUTION duly moved by Forrestel and seconded by Norton to accept the agreement with the Northern Erie Sno-Seekers for the 2025-2026 winter season providing the proper paperwork is provided to the Village Office.

WHEREAS, the Village of Akron has received a request from the Northern Erie Sno-Seekers, Inc., to use a portion of the Bike Path in the Village of Akron for snowmobile use:

WHEREAS, the Northern Erie Sno-Seekers, Inc., contacted the Village Board through a letter received on September 12, 2025 to renew their permission to use a portion of the Bike Path in the Village of Akron for snowmobile use:

NOW, THEREFORE, A RESOLUTION, duly moved by Folger, seconded by Middaugh, based on information submitted by the Northern Erie Sno-Seekers, Inc., and upon the Village’s review, the Village Board authorizes the Northern Erie Sno-Seekers, Inc., to use the Bike Path within the Village of Akron from December 15, 2025 through April 1, 2026, subject to random enforcement of speed, unreasonable noise and DWI, be and hereby is approved by the Village Board, subject to the following:

- 1. That the Village Board does hereby authorize the Northern Erie Sno-Seekers, Inc., to use the Bike Path beginning at Cedar Street and running southwest to Clarence Center Road, along a route that shall be specifically marked out by the Northern Erie Sno-Seekers, Inc., and approved by the Village of Akron Superintendent of Public Works,
 - a. The Northern Erie Sno-Seekers must provide the Village with proof of liability coverage naming the Village of Akron as additional insured in an amount satisfactory to the Village. If such coverage is part of blanket coverage for all snowmobile clubs throughout the State of New York, the Village of Akron must be specifically named as an additional insured on such policy.
 - b. The Northern Erie Sno-Seekers must provide the Village with an updated copy of its certificate of incorporation and by-laws and of its rules and regulations for operation of snowmobiles on trails maintained by them.
 - c. The Northern Erie Sno-seekers will provide to the Village an indemnification agreement holding the Village harmless and defending the Village from all property damages and personal injuries occasioned by the activities of the Northern Erie Sno-Seekers, their members, agents, invitees, or employees on any Village lands during the term of the agreement to use the Bike Path.
 - d. The use of the right-of-way shall begin on the last day of deer hunting season and shall terminate on April 1, 2026.
 - e. The Northern Erie Sno-Seekers, Inc. must cooperate with the Village to clearly mark the trail, which trail shall be located off the paved portions of the Bike Path and post speed limits and rules and regulations governing the use of the trails, satisfactory to the Village.
 - f. The Northern Erie Sno-Seekers, Inc., shall use the Bike Path in a manner that allows for the use of the same facilities by others, including hikers and cross-country skiers.
 - g. The Northern Erie Sno-Seekers, Inc. shall use their best efforts to avoid damage to Village property, injury to individuals, or excessive noise.
 - h. Failure to abide by all these conditions may result in the Village Board’s withdrawal or rescinding of the consent of the Village to use the Bike Path.

2. This resolution shall take effect immediately.

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

Resignation letter from Streets Skilled Laborer Cody Andrusz effective October 3, 2025.

RESOLUTION duly moved by Forrestel and seconded by Schultz to accept the resignation letter from Streets Skilled Laborer Cody Andrusz effective October 3, 2025 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

PUBLIC COMMENT –Akron Chamber President Brian Murray asked if the Speakers on Main Street are ready to use. Mayor recommended Mr. Murray get in touch with the Village Electric Dept for more information.

Trustee Forrestel mentioned that the Parkview Bridge sidewalk has been fixed. He also mentioned that he and Brian Murray attended an ACS Capital Project meeting where they received information that the front entry portion of the project will begin in November 2025 which will improve security.

EXECUTIVE SESSION –

RESOLUTION duly moved by Forrestel and seconded by Schultz 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 7:55 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 Perry and seconded by Middaugh 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 8:30 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

On motion of Perry and seconded by Middaugh at 8:31 pm this meeting was ADJOURNED.

MAYOR

CLERK