

VILLAGE OF SPRINGVILLE
2016 MINUTES

February 16, 2016

7:00 P. M.

The Regular Meeting of the Trustees of the Village of Springville was held at the Village Municipal Building, 65 Franklin Street, Springville, New York at the above date and time. Present were:

Mayor	William J. Krebs
Trustees	Alan L. Chamberlin Terry W. Skelton Nils A. Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul D. Weiss
Superintendent of Public Works	Kenneth W. Kostowniak
Building Inspector/ Code Enforcement	Michael Kaleta
Police Sergeant	John Fox
Fire Chief	Dennis Dains
Clerk	Holly Murtiff
Absent	Robert J. Moriarty Jr., Trustee
Also Attending	Colleen Mahoney, Springville Journal
Matt Dygert, SVFD	Mike Cochran, SVFD
Jim Jozwiak, SVFD	Daniel Miess
Lily Miess	Isaac Miess

Mayor Krebs called the meeting to order at 7:00 PM.

1. Minutes Minutes of the Regular Meeting of February 1, 2016 were approved as written by motion of Trustee Skelton, seconded by Trustee Wikman; carried, Trustees Skelton, Wikman, and Chamberlin voting yes, none opposed.

Minutes of the Executive Session of February 1, 2016 were approved as written by motion of Trustee Wikman, seconded by Trustee Skelton; carried, Trustees Wikman, Skelton and Chamberlin voting yes, none opposed.

PUBLIC HEARING

2. Main St. SEQR Mayor Krebs opened the duly advertised Public Hearing regarding SEQR requirements for the 2016 Main Street Grant projects. The Village Board has already been named as the lead agency furthermore motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton and Wikman voting

yes to SEQR type actions being evaluated as each project warrants. There being no further discussion Mayor Krebs closed the public hearing.

3. 65 Franklin Addition Proj. SEQR Mayor Krebs opened the duly advertised Public Hearing regarding SEQR requirements for the 65 Franklin Street addition project. After discussion, motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton and Wikman voting yes, none opposed to stating a negative declaration for this project. There being no further discussion Mayor Krebs closed the public hearing.

PUBLIC COMMENT

4. Midblock Crossing Request Dan Miess of 239 N. Buffalo St. addressed the Mayor and Board regarding their consideration in installing a midblock crossing on North Buffalo Street at the high school. Mr. Miess and his family live across the street from the high school and feel that in installation of a crossing will not only benefit their family needs but more importantly the whole high school community. At this time DPW Superintendent Kostowniak discussed this proposal. He has been in contact with Interim SGI Superintendent Sylvia Root. The crossing will be installed as soon as feasible at the southern end of the high school campus. Mr. Miess thanked all attending for their consideration in this matter.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

5. LOSAP Census Approval Upon the recommendation of Administrator Melock, motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton and Chamberlin voting yes, none opposed to approving the 2015 Length of Service Award Program (LOSAP) census. This is an annual census of the Springville Volunteer Fire Department membership.
6. Computel Consultant Agreement Motion was made by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin, and Wikman voting yes, none opposed to authorizing Mayor Krebs to sign an agreement with Computel. Computel will be doing audit of the Village bills searching for incorrect charges or overcharges. Computel will receive 40% of any recovered back charges and there will be no fee to the Village if no incorrect charges are found. Computel will insure proper billing, if errors are found, going forward and will assume no fees going forward.
7. 65 Franklin Street Project Bond Resolution 2016-3 After discussion, motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton and Chamberlin to approving the below resolution.

NOTICE OF ADOPTION OF BOND RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT AT THE VILLAGE'S BUILDING LOCATED AT 65 FRANKLIN STREET

Notice is hereby given that at its February 16, 2016 meeting the Village Board of Trustees of the village of Springville adopted a bond resolution that authorizes a capital improvements project at the Village's building (an the site thereof) located at 65 Franklin Street, Springville, New York. Such work to include, but not be limited to, the construction of an approximate 3,207 square foot building addition to house new office space, meeting rooms, restrooms, locker rooms, file storage areas and a three bay garage

area addition; the reconstruction of the exterior façade and the renovation of approximately 3010 square feet of current office space to provide additional storage areas, office and meeting spaces and the renovation of existing garage bays, and including all preliminary work and necessary equipment, such improvements as more fully identified in design reports prepared by Clark Patterson Lee (the “Engineer”), and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof. The estimated maximum cost of the Purpose is \$1,700,000. Such resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate amount not to exceed \$1,700,000, such amount to be offset by and federal, state, county and/or local funds received. Such resolution is subject to permissive referendum pursuant to New York law.

8. Refunding 2008 Bond Resolution 2016-4 After explanation and upon the recommendation of Administrator Melock, motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton and Wikman voting yes, none opposed to approving the below resolution.

NOTICE OF REFUNDING BOND RESOLUTION

NOTICE IS HEREBY GIVEN that the refunding bond resolution published herewith has been adopted by the Village Board of Trustees of the Village of Springville, Erie County, New York (the “Village”) on February 16, 2016, and the validity of the obligations authorized by such resolution may be hereafter contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money or

(b) the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of publication of this notice; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF REFUNDING BOND RESOLUTION

The following is a summary of a refunding bond resolution adopted by the Village Board of Trustees of the Village of Springville, Erie County, New York (the “Village”) on February 16, 2016. Such resolution authorizes the issuance and sale by the Village of refunding serial bonds in an amount not to exceed \$3,500,000 (the “Refunding Bonds”). The proceeds from the sale of the Refunding Bonds shall be used for the specific purpose of refunding certain outstanding serial bonds of the Village issued in 2006 and 2008 as more fully described in the refunding bond resolution (collectively, the “Refunded Bonds”). The Refunding Bonds are being issued in accordance with the terms of a refunding financial plan (the “Refunding Financial Plan”) prepared for the Village by Roosevelt & Cross Incorporated. The purpose of the Refunding Bonds is to take advantage of the current interest rate environment and to reduce debt service costs through maturity.

Information regarding the Refunded Bonds follows:

<u>Purpose</u>	<u>Original Amount</u>	<u>Outstanding Amount</u>	<u>Period of Probable Usefulness</u>
<u>\$1,610,000 General Obligation Serial Bonds, Series 2006A</u>	\$1,610,000	\$1,401,000	
Construction of improvements to the Village water system.			40 years
<u>\$200,000 General Obligation Serial Bonds, Series 2006B</u>	\$200,000	\$176,300	
Construction of improvements to the Village water system.			40 years
<u>\$3,019,500 Various Purpose Serial Bonds, 2008:</u>	\$3,019,500	\$1,685,000	
Reconstruction of and construction of improvements to the Village electric system.			30 years
9. Consolidated Financing Application	Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Skelton voting yes, none opposed to authorizing Mayor Krebs to submit a Consolidated Financing Application to the Western NY Regional Economic Development Council in order to apply for a grant. This grant application is due on February 1 th and it is a request for technical help with developing a registry for shovel ready projects for undeveloped commercial land within Springville.		
10. National Registry Expansion	Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Skelton voting yes, none opposed to authorizing Alma Brown of Clinton Brown Co. to write the grant applications for the Certified Local Government (CLG) and Preserve New York grants that are both due by February 29 th . Alma will complete both grant applications for \$750.		
11. Request for Proposal	Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman and Chamberlin voting yes, none opposed to approve request for proposal for services from Alma Brown for completing a survey for the National Registry nomination.		
12. ROLOC Annexation	Administrator Melock advised the Mayor and Board that the annexed property at 500 S. Cascade Drive has still not been added to the Village Tax Roll. The annexation still has not been filed in the Erie County Clerk's Office. Village Attorney Paul Weiss will look into the matter.		
13. Garbage Bid	Administrator Melock advised everyone that the Village garbage contract will be going out to bid. The bid ad will be placed in the Springville Journal on March 12, 2016. The bid opening will be on March 28, 2016.		

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14. Village Website Administrator Melock asked the Board if they would like her to investigate having the Village property taxes on our website for residents to look up and possibly even pay online. All agreed that yes she should proceed with that.
15. Park Naming Contest Administrator Melock suggested having a park naming contest for the proposed park on Factory Street. All attending felt this is a good idea and the matter will be revisited when it is closer to the completion of the park project.

SUPERINTENDENT REPORT

16. New Hires Motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton and Wikman voting yes, none opposed to approving the hiring of Colby Vandermeer to the position of Laborer/Light Equipment Operator in the Streets Division effective February 17th at the rate of \$21.00 subject to all probationary requirements.

Motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton and Wikman voting yes, none opposed to approving the hiring of Andrew Aldrich to the position of Laborer/Stores Clerk in the Electric Division effective February 22nd at the rate of \$21.00 subject to all probationary requirements.

Motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton and Wikman voting yes, none opposed to approving the hiring of Tim Uhteg to the position of Lineman B Apprentice in the Electric Division effective February 22nd at the rate of \$21.00 subject to all probationary requirements.

17. Promotion Motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton and Wikman voting yes, none opposed to the promotion of Tom Weronki to the position of Leadman in the Electric Division. Tom will have a six month probationary period and be subject to all union guidelines for promotions.

Superintendent Kostowniak updated the Mayor and Board on the following;

- ❖ Additional information regarding the midblock crossing to be installed on North Buffalo Street at the High school that was discussed earlier.
- ❖ 65 Franklin Municipal Building addition and Parking lot project
 - Bid documents will be available this week.
 - An easement is currently being worked on from the US Post Office for electric primary line relocation in the lawn area between 65 Franklin and the Post Office. The easement should be in place in a few weeks and we are waiting on a title search and tax assessment changes if any (required by US Govt.).
 - This project will incur a charge from Verizon-New York, Inc. to relocate the communication line on the pole line to be abandoned on the east side of the existing building in the area where the new addition is proposed. The cost is an estimate for design and installation of new communication facilities on new pole line and abandonment of existing line without interruption Verizon laws provided an estimate of \$31,716.55, the Village of Springville will agree to pay (or be reimbursed) actual cost of project upon completion.
- ❖ Franklin Streetscape Phase I

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- Occhino Corporation was sent a letter via certified mail stating that we are terminating their contract for cause. Occhino Corporation has failed to respond to my previous request to comply with all express and implied warranties pursuant to the signed contract with the Village of Springville and correct any defects that do not comply with the standards or guidelines pursuant to our signed contract. The notice of defect outlined that disputed workmanship of approximately 50% of the crosswalks. The request was issued on October 27, 2015 and more than 90 days have passed without a response. No further payments will be issued to Occhino Corporation. All retainage and allocated funds will be withheld to made the necessary repairs and replacement of unacceptable work.

POLICE DEPARTMENT

Sergeant Fox updated the Mayor and Board on the following;

- ❖ SPD will be conducting two Commercial Vehicle Safety Checks during February and March with the assistance of the NYS DOT.
- ❖ The County has been having trouble with their computer system so there is no Activity Report available for January. It will be given to the Board as soon as it is available.

FIRE REPORT

Chief Dains expressed thanks to the Board for going forward with the renovation of 65 Franklin Street.

BUILDING INSPECTOR/CEO

BI/CEO Kaleta informed the Board that NYS has passed a law requiring carbon monoxide detectors in commercial properties.

CONTROL CENTER

There was no Control Center report this evening.

OLD BUSINESS

There was no old business to discuss this evening.

NEW BUSINESS

Administrator Melock informed everyone that there is one party running for the 2 open Trustee seats and the Justice seat in the upcoming March 15th election. That party is the "For Springville" party.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #226 through #239, total of \$378,065.43 of 2015/2016 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Wikman, seconded by Trustee Skelton; carried Mayor Krebs, Trustees Wikman, Skelton and Chamberlin and voting yes, none opposed.

CONSENT AGENDA

Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton and Chamberlin voting yes, none opposed to accept the consent agenda as follows:

Building applications received by the Building Inspector/CEO Kaleta, Planning Board, Zoning Board of Appeal and Historic Preservation Commission as follows:

Minutes of the Planning Board meeting on February 9, 2016.

PROJECT: 0000007652 - NONRES NONSTRUCTURAL TYPE: NONRES
PROPERTY: 231 S CASCADE DR S 145 NONSTRUCTURAL
ISSUED DATE: 1/13/2016
ISSUED TO: LANE VALENTE INDUSTRIES
20 KEYLAND CT
BOHEMIA, NY 11716

PROJECT: 0000007653 - RESIDENTIAL HOME/STRUCTURAL TYPE:
PROPERTY: 178 EAST HILL RUN RESIDENTIAL
ISSUED DATE: 1/15/2016 HOME/STRUCT
ISSUED TO: GUGINO, BILL
14220 RT. 219
SPRINGVILLE, NY 14141

PROJECT: 0000007654 - NONRES NONSTRUCTURAL-ELECTRIC TYPE:
PROPERTY: 178 EAST HILL RUN NONRES
ISSUED DATE: 1/15/2016 NONSTRUCTURAL
ISSUED TO: B&B HOMES INC
14220 ROUTE 219
SPRINGVILLE, 14141-9740

PROJECT: 0000007655 - VIOLATION-SNOWPLOWING TYPE:
PROPERTY: 23 COCHRAN AVE VIOLATION
ISSUED DATE: 1/20/2016
ISSUED TO: SNYDER, JOHN
23 COCHRAN AVE.
SPRINGVILLE, NY 14141

PROJECT: 0000007656 - RESIDENTIAL DEMO TYPE:
PROPERTY: 121 N BUFFALO ST RESIDENTIAL
ISSUED DATE: 1/27/2016 DEMO
ISSUED TO: CAPIZZI, SALVATORE
1646 WHITEHAVEN ROAD
GRAND ISLAND, NY 14072

PROJECT: 0000007657 - FIRE INSPECTION TYPE: FIRE
PROPERTY: 231 S CASCADE DR S 145 INSPECTION
ISSUED DATE: 2/03/2016
ISSUED TO: DOLLAR TREE #03074
PO BOX 1261
MANDAN, ND 58554

PROJECT: 0000007658 - FIRE INSPECTION
PROPERTY: 231 S CASCADE DR S 123
ISSUED DATE: 2/03/2016
ISSUED TO: EB GAMES SUITE #123
PO BOX 2440
SPOKANE, WA 99210-2440

TYPE: FIRE
INSPECTION

PROJECT: 0000007659 - FIRE INSPECTION
PROPERTY: 231 S CASCADE DR S 133
ISSUED DATE: 2/03/2016
ISSUED TO: SHOE SHOW
PO BOX 648
CONCORD, NC 28026

TYPE: FIRE
INSPECTION

PROJECT: 0000007660 - FIRE INSPECTION
PROPERTY: 231 S CASCADE DR S 121
ISSUED DATE: 2/03/2016
ISSUED TO: JV NAILS
231 S CASCADE DR SUITE 121
SPRINGVILLE, NY 14141

TYPE: FIRE
INSPECTION

PROJECT: 0000007661 - FIRE INSPECTION
PROPERTY: 231 S CASCADE DR S 111
ISSUED DATE: 2/03/2016
ISSUED TO: SPRINGVILLE WIRELESS INC
PO BOX 99
EAST AURORA, NY 14052-0099

TYPE: FIRE
INSPECTION

PROJECT: 0000007662 - FIRE INSPECTION
PROPERTY: 231 S CASCADE DR S 128
ISSUED DATE: 2/03/2016
ISSUED TO: MAURICES STORE #1537 MS #2
PO BOX 182420
COLUMBUS, OH 43218-2420

TYPE: FIRE
INSPECTION

PROJECT: 0000007663 - FIRE INSPECTION
PROPERTY: 231 S CASCADE DR S 125
ISSUED DATE: 2/03/2016
ISSUED TO: SALLY BEAUTY LLC
C/O ELOVA MS 2207
PO BOX 2440
SPOKANE, WA 99210-0000

TYPE: FIRE
INSPECTION

TRUSTEE NOTES & PROJECT REPORTS

Trustee Chamberlin had nothing to report this evening.

Trustee Wikman reminded everyone to show up Saturday (2/20/16) morning for the Mayor's park walk around.

Trustee Skelton commented on the following;

- ❖ Thank you to the Divisions for their great clean-up work during the recent storm.

- ❖ Animal Code Committee has contacted people regarding sitting on the Committee. The final members are yet to be determined.

At this time Trustee Skelton presented and read the following Proclamation.

**VILLAGE OF SPRINGVILLE
PROCLAMATION**

WHEREAS, the Chamber of Commerce in the Village of Springville has proclaimed William & Virginia Krebs as Citizens of the Year; and
WHEREAS, William Krebs has served in various positions in the village since April 1990; and
WHEREAS, the administration recognizes him for his public servant commitment to the village; and
WHEREAS, he has held various positions including Planning Board Member, Chairman of the Planning Board, Village Trustee and is currently serving as Village Mayor; and
WHEREAS, his tireless efforts and dedication to promoting the Village of Springville has resulted in numerous grants and infrastructure projects such as Rails to Trails, Franklin & Mechanic Streetscape, M&T Park and the addition to Franklin Street; and
WHEREAS, the administration recognizes Virginia Krebs for her community service with the Springville Concord Elder Network (SCENe) and other community events; and
WHEREAS, the community and administration would like to thank Mrs. Krebs and her family for their lost time with Mr. Krebs due to his commitments to the village;
NOW THEREFORE BE IT RESOLVED, the Village administration would like to extend best wishes to William and Virginia Krebs for their continued dedication to the residents of the Village of Springville.

Mayor Krebs commented on the following;

- ❖ Thank you to all those who attended the Springville Area Chamber of Commerce dinner.
- ❖ Albany trip update.
- ❖ Reminder of the Mayor's park walk around on Saturday, February 20th.
- ❖ There will be a meeting at the DPW garage on February 27th to gain public input on the Rails-to-trails.
- ❖ 2016 NY Main Street grant applications are due no later than February 18, 2016 at 3:00pm.

18. Executive Session Motion was made by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin and Wikman voting yes, none opposed to adjourn to Executive Session at 8:09 pm to discuss personnel and legal matters.
19. Adjourn Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin and Skelton voting yes, none opposed to adjourn the Regular Session at 8:52 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk