

VILLAGE OF SPRINGVILLE  
2015 MINUTES

October 19, 2015

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	Nils A. Wikman Alan L. Chamberlin Robert J. Moriarty Jr. Terry W. Skelton
Village Administrator	Timothy L. Horner
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 (7:10 pm)
Clerk	Holly Murtiff
Also Attending	Colleen Mahoney (Springville Journal) Ethan Smith David Batterson Jr.

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

1. Minutes Minutes of the Regular Meeting of October 5, 2015 were approved as written by motion of Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Skelton and Moriarty voting yes, none opposed.

Minutes of the Executive Session of October 5, 2015 were approved as written by motion of Trustee Wikman, seconded by Trustee Chamberlin ; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Skelton and Moriarty voting yes, none opposed.

**PUBLIC HEARINGS**

2. Sewer Rate Increase At this time Administrator Horner took a moment to explain that on October 7, 2013 there was a sewer rate increase as well as a change in the Local Law stating;

“Rate changes. The specific rates hereby established and imposed within the service and use components that make up the sewer rents, as well as the property class, benefit value, billing periods, due dates and late payment penalties, may be changed from time to time by resolution of the Board of Trustees.”

Therefore while the following public hearing is unnecessary it will take place regarding the proposed sewer rate increase.

After discussion, motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes none opposed to raising the sewer rate per thousand gallons from \$2.50 to \$3.00 per thousand effective with the December 1, 2015 bills.

3. Waverly Street Rezoning Mayor Krebs opened the duly advertised Public Hearing to discuss the rezoning of 56 and 74 (both currently CIP) and 36 (R-6) Waverly Street to B-1 zoning. After discussion and with no questions or comments from those present, motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to change the zoning as outlined above.

Motion was made by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin, Moriarty and Wikman voting yes, none opposed to approving the SEQR regarding the zoning changes for 36, 56 and 74 Waverly Street and declaring a negative declaration for such as well as authorizing Mayor Krebs to sign the SEQR form. There being nothing further on the matter Mayor Krebs closed the public hearing.

4. 2015/2016 CDBG Application Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to approving the below Authorizing Resolution regarding the 2015/2016 CDBG application.

#### ***AUTHORIZING RESOLUTION***

At a meeting of the Village of Springville Board of Trustees held Monday, October 19, 2015, the Village Board authorized Mayor William Krebs to sign, submit and execute a contract with Erie County Development Block Grant Program for the following projects, upon approval of the Erie County Community Development

1. Water main construction and improvements on Church and Franklin Streets at an estimated cost of \$250,589.00.
2. Rural Transit Service, Inc.

At this time Mayor Krebs closed the public hearing.

#### **PUBLIC COMMENT**

There was no public comment this evening.

#### **DEPARTMENT REPORTS**

#### **ADMINISTRATOR REPORT**

5. Parking Ban Error On October 6, 2014 LL 2014-D was passed changing the Winter Parking Ban hours to 2:00 am to 7:00 am. Due to a clerical error the law was filed with the state with the incorrect hours (3:00 am to 7:00 am). While no new public hearing is necessary and since it was the Board's intent to change the beginning hour to 2:00am a correction will be filed

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with the State and the hours of 2:00 am to 7:00 am, November 10<sup>th</sup> until April 1<sup>st</sup> will be enforced within the Village.

6. Water Project Closings Administrator Horner updated the Mayor and Board that the Chestnut/Glen and Eaton Streets water projects has all be completed, paid and closed.
7. Out- of-the Village Water Service Administrator relayed to everyone that he has been approached by the owner of 7812 and 7820 Zoar Road for consideration by the Board to be sold water service at those locations. While both locations are outside the Village boundaries there is Village water service in close proximity to those addresses therefore the request. During discussion Mayor Krebs reminded everyone that is is against Village Code to provide water service to locations outside the Village boundaries therefore the request is denied further consideration.

#### **SUPERINTENDENT REPORT**

8. Sanitary Sewer Flow Study After explanation by Superintendent Kostowniak regarding the proposed sanitary sewer flow study to be conducted by GHD Consulting Services motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to authorizing Superintendent Kostowniak to proceed with the study at the cost of \$24,000 of which \$18,000 is to be funded by grant money.
9. Emergency Watertank Repairs Superintendent Kostowniak gave everyone a detailed explanation of the condition, danger and necessary repairs to the North Street watertank. After discussion by all, motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to authorizing Superintendent Kostowniak to begin repairs to the tank and procurement of mixer to also be installed in the tank. The cost of the mixer is \$5,000 and the cost of the emergency repairs will be paid for out of the restricted reserve fund.

#### **POLICE DEPARTMENT**

Sergeant Fox gave his report outlining the following;

- ❖ The new Officer has begun doing ride alongs.
- ❖ Call for September 2015.
- ❖ SPD will be conducting two Commercial Vehicle Safety Checks during October & November with the assistance of the NYSDOT.
- ❖ NYS traffic ticket report for September has been completed and forwarded to NYSDMV.
- ❖ There is an Officer scheduled to begin putting Winter Parking Ban notices on cars which runs November 10<sup>th</sup> through April 1<sup>st</sup>.
- ❖ The homecoming on October 2, 2015 went off without any issues.
- ❖ The Halloween curfew will remain as it has in previous years, 7:00 pm in the business district and 9:00 pm in the remainder of the Village.

#### **FIRE REPORT**

Fire Chief Dains updated everyone on the following:

- ❖ Calls
- ❖ Training

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- ❖ Meetings
- ❖ Route 219 winter closings
- ❖ Mercy EMS ambulance service is doing a great job and Chief Dains thanked everyone involved for making the switch in ambulance service happen.

### **BUILDING INSPECTOR/CEO**

BI/CEO Kaleta asked the Mayor and Board if everyone was happy with the final version of the small animal survey, everyone is so therefore the survey will be inserted with the November 1<sup>st</sup> utility bills.

BI/CEO Kaleta and the Mayor recently attended a meeting together where the topic was “zombie” properties. NYS Assemblyman Michael Kearns has proposed that during the Halloween season municipalities place “zombie” signs on “zombie” properties requesting that the bank who owns the property address its situations. After further discussion, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Moriarty and Skelton voting yes, none opposed to BI/CEO Kaleta proceeding with the “zombie” sign project.

### **CONTROL CENTER**

There was no Control Center report this evening.

### **OLD BUSINESS**

There was no Old Business to discuss this evening.

### **NEW BUSINESS**

10. Historic Preservation Appointment

Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed to Mayor Krebs appointing John Baronich to the Historic Preservation Commission as a member for a term of two years.

### **BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #105 through #121, total of \$259,506.35 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, Moriarty and Chamberlin voting yes, none opposed.

### **CONSENT AGENDA**

Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty 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:

Sales Tax Sharing report of September 30, 2015

Minutes of the Planning Board meeting of October 13, 2015

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PROJECT: 0000007577 - SIGNS TYPE: SIGNS  
PROPERTY: 385 S CASCADE DR LR  
ISSUED DATE: 9/29/2015  
ISSUED TO: FLUFFY & FABULOUS PET PALACE  
385 S CASCADE DR 3  
SPRINGVILLE, NY 14141

PROJECT: 0000007578 - SHEDS, UP TO 144 SQ.FT TYPE: SHEDS  
PROPERTY: 98 ELK ST  
ISSUED DATE: 10/02/2015  
ISSUED TO: UHTEG, DANIEL  
98 ELK ST  
SPRINGVILLE, NY 14141

PROJECT: 0000007581 - FENCES TYPE: FENCES  
PROPERTY: 62 MAPLE AVE  
ISSUED DATE: 10/06/2015  
ISSUED TO: OWEN, TRINITY  
62 MAPLE AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000007582 - RESIDENTIAL ALTERATION TYPE: RESIDENTIAL  
PROPERTY: 30 MAPLE AVE ALTERATION  
ISSUED DATE: 10/06/2015  
ISSUED TO: OTT, KARL  
30 MAPLE AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000007583 - NONRES NONSTRUCTURAL-ELECTRIC TYPE:ELECTRIC  
PROPERTY: 14075 MILL ST  
ISSUED DATE: 10/06/2015  
P.O. BOX 317  
SPRINGVILLE, NY 14141

PROJECT: 0000007584 - ROOFING TYPE: ROOF  
PROPERTY: 193 WAVERLY ST  
ISSUED DATE: 10/06/2015  
ISSUED TO: ANDRADE, TIMOTHY E  
193 WAVERLY ST  
SPRINGVILLE, NY 14141

PROJECT: 0000007585 - RESIDENTIAL ALTERATION TYPE: ELECTRIC  
PROPERTY: 532 MILL ST  
ISSUED DATE: 10/06/2015  
ISSUED TO: SMITH, RUTH  
7160 SERPENTINE DR  
ORCHARD PARK, NY 14107

PROJECT: 0000007586 - VIOLATION-CHICKENS IN THE VILLAGE TYPE:  
PROPERTY: 36 EAST AVE VIOLATION  
ISSUED DATE: 10/06/2015  
ISSUED TO: HART, JOHN  
36 EAST AVE  
SPRINGVILLE, NY 14141

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PROJECT: 0000007587 - VIOLATION TYPE: VIOLATION  
PROPERTY: 164 N BUFFALO ST  
ISSUED DATE: 10/06/2015  
ISSUED TO: LAMPHIER, WILLIAM  
164 N BUFFALO ST  
SPRINGVILLE, NY 14141

PROJECT: 0000007589 - FENCES TYPE: FENCES  
PROPERTY: 90 W MAIN ST  
ISSUED DATE: 10/07/2015  
ISSUED TO: CONNORS, MICHAEL  
90 W MAIN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000007590 - RESIDENTIAL ALTERATION TYPE: RESIDENTIAL  
PROPERTY: 148 EATON ST ALTERATION  
ISSUED DATE: 10/08/2015  
ISSUED TO: COONS, MARY L  
148 EATON ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000007591 - ROOFING TYPE: ROOF  
PROPERTY: 78 E MAIN ST  
ISSUED DATE: 10/09/2015  
ISSUED TO: WINTER, KENNETH  
4640 RICEVILLE RD  
WEST VALLEY, NY 14171

PROJECT: 0000007593 - ROOFING TYPE: ROOF  
PROPERTY: 317 MILL ST  
ISSUED DATE: 10/13/2015  
ISSUED TO: JOZWIAK, JAMES  
PO BOX 115  
SPRINGVILLE, NY 14141

PROJECT: 0000007594 - NONRES NONSTRUCTURAL TYPE: NONRES  
PROPERTY: 30 WOODWARD AVE NONSTRUCTURAL  
ISSUED DATE: 10/13/2015  
ISSUED TO: JOZWIAK, JAMES  
PO BOX 115  
SPRINGVILLE, NY 14141

### **TRUSTEE NOTES & PROJECT REPORTS**

Trustee Chamberlin had nothing to report this evening.

Trustee Wikman commented on the recent SGI High School Day of Caring.

Trustee Moriarty is continuing to research the new NYSERDA options that Mayor Krebs asked him to look into. Trustee Moriarty also mentioned that he just attended a meeting regarding the temporary housing of fire equipment during the renovation of 65 Franklin Street.

Trustee Skelton had nothing to report this evening.

Mayor Krebs commented on the following;

- ❖ He will not be attending the Village Board meeting on November 16<sup>th</sup> as he will be attending a NYCOM meeting.
- ❖ He will not be attending the Village Board meeting on December 7<sup>th</sup> as he will be on vacation.
- ❖ The Route 219 bridge will be closed October 26 – 29 for inspection.
- ❖ The seats for the March 15, 2016 election will be for two (2) Trustee seats and for one (1) Justice.

11. Executive Session Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed to adjourn to Executive Session at 8:07 pm to discuss personnel matters.
12. Adjourn Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed to adjourn the Regular Session at 8:43pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk