

VILLAGE OF SPRINGVILLE
2016 MINUTES

March 7, 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 Robert J. Moriarty Jr. 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
Also Attending	Colleen Mahoney, Springville Journal

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

After the Pledge of Allegiance all attending observed a moment of silence for Officer David Hock who passed away this past weekend.

1. Minutes

Minutes of the Regular Meeting of February 16, 2016 were approved as written by motion of Trustee Skelton, seconded by Trustee Chamberlin; carried, Trustees Skelton, Chamberlin and Wikman voting yes, Trustee Moriarty abstaining, none opposed.

Minutes of the Executive Session of February 16, 2016 were approved as written by motion of Trustee Skelton, seconded by Trustee Wikman; carried, Trustees Skelton, Wikman and Chamberlin voting yes, Trustee Moriarty abstaining, none opposed.

PUBLIC COMMENT

There being no public comment Mayor Krebs closed this portion of the meeting.

DEPARTMENT REPORTS

FIRE REPORT

Fire Chief Dains updated the Mayor and Board on the following;

- ❖ Calls
- ❖ Meetings

ADMINISTRATOR REPORT

2. Preliminary 2016/2017 Budget Public Hearing After discussion and upon the request of Administrator Melock, motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to setting the public hearing for the 2016/2017 Preliminary Budget at 7:00 pm on April 21, 2016. Advertisements will be placed in the appropriate publication.
3. Code Red Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to authorizing Mayor Krebs to sign and execute the 3 year agreement to install the Code Red services in the Springville Control Center. The cost is \$8,550 which will be split between the Village of Springville, the Town of Concord and the Town of Sardinia. There will be 5 users per municipality assigned to send out announcements. This agreement will be part of the expenses of the Control Center.
4. Multimed Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to approving the Multimed agreement. There is no cost to the Village and this is an agreement for Multimed to bill for ambulance service in the Village. Any costs are to be paid for by Mercy EMS.
5. CLG Grant Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to approving the \$1,000 Village share of the Certified Local Government (CLG) for \$12,750 completed by Alma Brown of Clinton Brown Company. The grant will be used to expand the historic district on East Main and Mechanic Streets and to establish a historic district on West Main between 64 and 171 West Main Street.
6. G. Decker Sewer Forgiveness After explanation by Deputy Clerk Holly Murtiff, 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 a \$138 sewer forgiveness to account 12-0830-01. Mr. Decker has met all criteria to be allowed 100% forgiveness of the overage in sewer due to a recent leak.
7. New Volunteer Fire Members Motion was made by Trustee Wikman, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Wikman, Moriarty, Chamberlin and Skelton voting yes, none opposed to approving the following two new Springville Volunteer Department members:

Jonathan Karkruff 370 W. Main Street Springville, NY 14141	Michael Rose 130 Elm Street Springville, NY 14141
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8. Temporary Fire Lease Motion was made by Trustee Moriarty, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Moriarty, Wikman, Chamberlin and Skelton voting yes, none opposed to approving the Mayor to sign and execute the temporary lease at 649 East Main Street to store the fire department equipment during the renovation of 65 Franklin Street. The cost will be \$1,000 per month and that will include utilities.
9. NYSCMA Conference Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to approving Administrator Melock to attend the NYS City/County Management Association Seminar on May 22nd – 25th in Albany.

Administrator Melock advised everyone that she and Kellie Grube will be attending the NYS Urban Forestry Council training in Rochester on March 24th. This training will be on electrical hazard awareness and will also delve into parts and terminology.

SUPERINTENDENT REPORT

10. MEUA Voting Delegate Resolution 2016-5 Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed to approving the below resolution naming Superintendent of Public Works Ken Kostowniak as the voting delegate for the Village of Springville while attending the MEUA Semi-Annual Meeting.

RESOLUTION

At a regular meeting of the Board of Trustees of the Village of Springville, New York, held on March 7, 2016, the following resolution was adopted;

Moved by Trustee Wikman, seconded by Trustee Skelton.

WHEREAS, the Board of Trustees of the Village of Springville, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 27 and April 28, 2016 to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Superintendent of Public Works Ken Kostowniak be and is hereby designated as the accredited delegate of the Village of Springville, New York.

11. Summer Hires 2016 Motion was made by Trustee Moriarty, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Moriarty, Skelton, Chamberlin and Wikman voting yes, none opposed to approving the 2016 Summer Hires as outlined below.

	<u>Name</u>	<u>Address</u>	<u>Previous Years w/Village</u>	<u>Division</u>
A)	<u>Returnees</u>			
	Benz, Ethan	332 W. Main St.	1	Streets
	Grube, Quincie	276 Franklin St.	1	Water/Sewer
	Loop, Andrew	7107 Zoar Valley Rd.	2	Water/Sewer
	Schunke, Corinne	24 N. Central Ave.	2	Streets
B)	<u>New Hires</u>			
	Poppenberg, Brian	191 Maple Ave.	0	Streets
	Raynor, Jeremy	89 Cochran Ave.	0	Waste Water Treatment Plant
	Schunke, Jenna	24 N. Central Ave.	0	Streets

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12. 2016 Annual Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Bid Results Krebs, Trustees Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to approving the 2016 Annual Bids as presented below.

2016 Annual Bid Recommendations

Public Bid Opening held on March 3, 2016 at 2:00pm

<u>CHEMICALS</u>	<u>Bidder</u>	<u>Years/Price</u>
Aluminum Sulfate	Bison Laboratories	1 year @ \$293.50dry ton (7 bids)
Sodium Fluoride	Amrex Chemical Company	2 years @ \$0.74/lb. (4 bids)
Sodium Hypochlorite	Amrex Chemical Company	2 years @ \$.99/gal. (6 bids)

CONCRETE (Prices for One Year – June 1, 2016 thru May 31, 2017) (3 bids)

Mix #1	Wayne Concrete	\$107.90/cubic yard
Mix #2	Wayne Concrete	\$104.00/cubic yard
Mix #3 (fiber mesh)	Wayne Concrete	\$114.50/cubic yard
Mix #3 (no fiber mesh)	Wayne Concrete	\$108.75/cubic yard

SLUDGE HAULING (Price for Two Years – June 1, 2016 thru May 31, 2018) (2 bids)

Sludge Hauling	Ball Toilet & Septic	\$58.90/1000 gal.
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STONE (1A) (Price for One Year – June 1, 2016 thru May 31, 2017) (3 bids)

Stone	Lafarge North America	\$22.55/ton
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SIDEWALK and CURBING (Prices for One Year – June 1, 2016 thru May 31, 2017) (2 bids)

Sidewalk	Emerald Services of WNY, Inc.	\$5.65/square foot
Curbing	Emerald Services of WNY, Inc.	\$19.00/linear foot

13. Contract Termination/Approval After explanation by Superintendent Kostowniak, motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed to terminate the contract Wm. Schutt and Associates to provide environments Phase 1 study engineering study on the proposed municipal parking lot behind the businesses on the north side of East Main Street.

Motion was made by Trustee Moriarty, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Moriarty, Wikman, Chamberlin and Skelton voting yes, none opposed to awarding the proposal from Core Environmental Consultants to perform the Phase 1 environmental study for the proposed municipal parking lot in the amount of \$5,000.

POLICE DEPARTMENT

Sergeant Fox updated the Mayor and Board on the following;

- ❖ Springville Police Department K-9 Officer Dave Hock has passed away after a 2 year battle with cancer. Sergeant Fox gave everyone the details on his services.
- ❖ Monthly activity report for January and February 2016.

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14. Officer Rehire After explanation by Sergeant Fox, motion was made by Trustee Wikman, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Wikman, Moriarty, Chamberlin and Skelton voting yes, none opposed to rehire Officer Nick Budney to the Springville Police Department effective immediately.

BUILDING INSPECTOR/CEO

BI/CEO Kaleta reminded the Board of the following;

- ❖ Houghton training
- ❖ FEMA training
- ❖ May is “Build Safely” month

CONTROL CENTER

Springville Control Center Advisory Board meeting minutes of February 18, 2016 have been received and filed.

Springville Fire/Control Center report of February 2016 has been received and filed.

15. Control Center New Hire Upon the recommendation of Trustee Chamberlin, motion was made by Trustee Wikman, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to hiring of Mary Lillie as a per diem dispatcher in the Control Center effective immediately.
16. Control Center Termination After explanation by Trustee Chamberlin, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to terminating per diem dispatcher in training Cody Yetter.

OLD BUSINESS

There was no old business to discuss this evening.

NEW BUSINESS

17. Requesting Improvements To the NYS Tax Cap Resolution 2016-6 After discussion and explanation by Mayor Krebs and Administrator Melock, motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to approving the below resolution.

Village of Springville NY Resolution Requesting Improvements to NYS Tax Cap

Whereas, the Association of Towns of the State of New York has made Property Tax Cap Reform a legislative priority for 2016; and

Whereas, the New York Conference of Mayors has recommended that the New York State Cap Tax be improved in 2016; and

Whereas, the property tax cap was extended until June 15, 2020 with modification to the manner in which PILOT properties are treated when determining a local government’s tax cap formula; and

Whereas, Erie County towns and villages responsibly manage their finances, with the majority of Erie County towns and villages levying at or below the allowable limit, despite limited revenue sources, stagnant state/federal aid and increasing expenses; and

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Whereas, New York State governs the manner in which Erie County towns and villages raise revenue; and

Whereas, New York State has primarily provided real property tax relief through ad hoc property tax exemptions over comprehensive property tax reform, resulting in a tax shift rather than a tax reduction, as well as additional administrative and litigation costs; **and**

Whereas, the tax cap has slowed the growth in Erie County property tax levies, but encouraged budget-balancing maneuvers, reduced fiscally prudent fund balances, cut municipal workforce with accompanying service, maximized restructuring and shared services agreements, and postponed key public infrastructure investment; and

Whereas the quality of life in Erie County towns and villages is threatened by the lack of investment to improve and mitigate problems in roads, bridges, water, and sewer systems;

Now Therefore Be It

Resolved, that the tax cap should not be one tied to inflation but one with a 1.5% floor; or that New York State should implement a Tax Cap Equalization Aid program that would provide aid in the amount equal to the difference between what the municipality property tax levy would be under a 2% cap and what it actually is under the tax cap CPI calculation; and **Be It Further**

Resolved, that Exemptions to the Tax Cap should include capital projects and infrastructure improvements in utilities, transportation and communications, costs associated with compliance orders, and structured costs such as pension contributions, and emergency services.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #240 through #259, total of \$264,635.79 of 2015/2016 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Chamberlin, seconded by Trustee Wikman; carried Mayor Krebs, Trustees Chamberlin, Wikman, Skelton and Moriarty and voting yes, none opposed.

CONSENT AGENDA

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

Minutes of the Historic Preservation Commission meeting on January 12, 2016.

PROJECT: 0000007664 - RESIDENTIAL ALTERATION TYPE: ELECTRIC
PROPERTY: 193 E MAIN ST
ISSUED DATE: 2/17/2016
ISSUED TO: ANDREWS, GERALD
1150 S COLONY WAY, SUITE 3
PMB 582
PALMER, AK 99645-0000

PROJECT: 0000007665 - ROOFING TYPE: ROOF
PROPERTY: 36 MILL ST S
ISSUED DATE: 2/18/2016
ISSUED TO: ROGERS, TERRY
116 YOUNG ST
BUFFALO, NY 14212

PROJECT: 000007666 - ROOFING
PROPERTY: 30 NEWMAN ST
ISSUED DATE: 2/25/2016
ISSUED TO: MARVIN, EUGENE
30 NEWMAN ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 000007667 - SIGNS
PROPERTY: 499 FRANKLIN ST
ISSUED DATE: 2/26/2016
ISSUED TO: DAVIES, PAUL F III
499 FRANKLIN ST
SPRINGVILLE, NY 14141

TYPE: SIGNS

PROJECT: 000007668 - RESIDENTIAL ALTERATION-ELECTRICAL
PROPERTY: 308 N CASCADE DR
ISSUED DATE: 3/01/2016
ISSUED TO: GERWITZ, MICHAEL
5756 THORNWOOD DR
WEST VALLEY, NY 14171

TYPE:
RESIDENTIAL
ALTERATION

TRUSTEE NOTES & PROJECT REPORTS

Trustee Chamberlin commented on the following;

- ❖ Thank you to all involved in approving the Code Red program.
- ❖ General Elections are on March 15th 12 pm – 9 pm.

Trustee Wikman reminded everyone that the High School Musical is this weekend.

Trustee Moriarty informed everyone that the Animal Code Committee had their first meeting to which 6 members attended and 2 were absent. Their next meeting is scheduled for March 24th.

Trustee Skelton informed everyone of who is participating on the Animal Code Committee.

- ❖ Carl Eisenhart
- ❖ John Nason
- ❖ Jason Engle
- ❖ Terry Hart
- ❖ Bob Muhlbauer, Planning Board Chairman
- ❖ Terry Skelton, Deputy Mayor
- ❖ Rob Moriarty, Trustee

Mayor Krebs commented on the following;

- ❖ DOT meeting regarding the old 219 bridge.
- ❖ Tier 3 Emergency Services Training..
- ❖ Rails-to-trails meeting.

18. Executive Session Motion was made by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin, Moriarty and Wikman voting yes, none opposed to adjourn to Executive Session at 7:53 pm to discuss legal matters.

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19. Legal Representation Up returning from Executive Session, motion was made by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin, Moriarty and Wikman voting yes, none opposed to retaining Bartlo, Hettler, Weiss & Tripi Law Firm to first seek insurance coverage and then represent the Village of Springville in the matter of Occhino vs. The Village of Springville.
20. 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 8:44 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk