

VILLAGE OF SPRINGVILLE  
2016 MINUTES

April 18, 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 Keith Marquis, Marquis Engineering Robert Rung

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

1. Minutes Minutes of the Regular Meeting of April 4, 2016 were approved as written by motion of Trustee Skelton, seconded by Trustee Moriarty; carried, Trustees Skelton, Moriarty, Wikman and Chamberlin voting yes, none opposed.

Minutes of the Executive Session of April 4, 2016 were approved as written by motion of Trustee Wikman, seconded by Trustee Skelton; carried, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed.

**PUBLIC COMMENT**

There was no public comment this evening.

**DEPARTMENT REPORTS**

**ADMINISTRATOR REPORT**

2. Time Warner After review of the Time Warner Franchise Fee Agreement by Computel Consultants an Franchise Fee error in the payment of the fee to the Village was discovered. There is an underpayment in the amount of over \$77,000 owed to the Village of Springville and the correct amount

of 5% needs to be remitted to the Village by Time Warner going forward from the refund date. The Village is also requesting that the refund underpayment is not passed onto the customers of Time Warner Cable in Springville. After this explanation 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 directing Computel Consultants to file claim with Time Warner Cable for the underpayment adjustment and correction in franchise fees be made to the Village of Springville.

3. 65 Franklin Amending BAN Resolution After explanation by Administrator Melock that the below Amending BAN Resolution for 65 Franklin St. will remove the parking lot and add \$100,000 to costs to cover the building construction and remodel. The new total will be \$1.8 million, motion was made by Trustee Chamberlin, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Chamberlin, Moriarty, Skelton and Wikman voting yes, none opposed to approving the attached amending resolution (041816 A.1)

4. LL2016-4 Intro After explanation by Administrator Melock, motion was to introduce LL 2016-4 and set the public hearing for May 2, 2016. Advertisements will be placed in the appropriate publication.

Proposed Local Law 4 of 2016 – Amend 180-41 Schedule XII: Limited Time Parking Add: (Name of Street) Franklin St – (Sides) Southside – (Hours) – 9 am to 6 pm, except Sundays and holidays, on Fridays between 9 am and 9 pm (Time Limit) - 120 minutes and (Location) would be between Mechanic & N. Buffalo St. Request is per the Town of Concord.

Administrator Melock took this opportunity to discuss the following items;

- ❖ After 4/20/16 all unpaid water/sewer will be relieved onto the 6/1/16 Village tax bills.
- ❖ The refunding bond resolution has closed and this will save the village \$600,000 over the next 27 years.
- ❖ Public use of 65 Franklin Street during the upcoming construction will need to be discussed at a future meeting.
- ❖ Administrator Melock has been reviewing and will report back to the Board on the following;
  - Sheriff's agreement with County of Erie
  - Fire Protection Agreement

#### **SUPERINTENDENT REPORT**

5. Streets/  
Electric  
Transfer After explanation by Superintendent Kostowniak, motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to transferring Colby VanDermeer from Laborer/Light Equipment Operator from the Streets Division to Lineman B Apprentice. Colby has completed 2 months of a 6 month probationary period, starting date of April 19, 2016 with a continuing probationary rate of pay of \$21.00/hr.

6. Streets  
New Hire Upon the recommendation of Superintendent Kostowniak, motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to the hiring and appointment of Joshua Kerlin as Laborer/Light Equipment Operator in the Street Division. Josh will have a 6 month probationary period with a starting date of 4/25/16 and a probationary rate of \$21.00/hr.

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7. NYMPA Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor  
Voting Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed  
Resolution to approving the below NYMPA voting delegate resolution

#### RESOLUTION

At a regular meeting of the Village Board of the Village of Springville, New York, held on April 18, 2016, the following resolution was adopted:

Moved by Trustee Terry Skelton, seconded by Trustee Robert Moriarty, Jr.

WHEREAS, the Board of Trustees of the Village of Springville, New York, is a municipal member of the New York Municipal Power Agency, and

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

NOW THEREFORE BE IT RESOLVED, that Kenneth W. Kostowniak be and is hereby designated as the accredited delegate of the Village of Springville, New York.

Superintendent Kostowniak took this opportunity to inform the Mayor and Board that the Streets Division has begun work on the Rails-to-Trails trail through the Village.

#### **POLICE DEPARTMENT**

Sergeant Fox updated everyone on the following;

- ❖ Erie County Sheriff's Department and Springville Police Department call log for March and the first two weeks of April 2016.
- ❖ Officers are scheduled to assist with traffic control and lead the Pageant of Bands Parade on Saturday, May 21<sup>st</sup> and the Dairy Fest Parade on Saturday, June 4, 2016. An Officer has also been scheduled to lead the Memorial Day Parade on Monday, May 30<sup>th</sup> although no request has yet been received for that parade as well as the Springville Stampede 5K Walk/Run.

#### **FIRE REPORT**

Chief Dains had nothing to report this evening.

#### **BUILDING INSPECTOR/CEO**

BI/CEO Mike Kaleta had nothing to report this evening.

#### **CONTROL CENTER**

Springville Fire Control report of March 2016 received and filed.

#### **OLD BUSINESS**

There was no old business to discuss this evening.

**NEW BUSINESS**

8. Heritage Park Mayor Krebs announced at this time that the name of the proposed park on Franklin Street will be Heritage Park. Keith Marquis of Marquis Engineering addressed the Mayor and Board with preliminary plans for Heritage Park.

**BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #289 through #302, total of \$263,039.58 of 2015/2016 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Wikman, seconded by Trustee Moriarty; carried Mayor Krebs, Trustees Wikman, Moriarty, Chamberlin and Skelton and 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:

Erie County Sales Tax Sharing Report of March 31, 2016. **CA.1**

PROJECT: 0000007692 - SIGNS TYPE: SIGNS  
PROPERTY: 393 NORTH ST  
ISSUED DATE: 4/01/2016  
ISSUED TO: KREBS, MATTHEW  
8903 CATTARAUGUS ST  
SPRINGVILLE, NY 14141

PROJECT: 0000007693 - RESIDENTIAL ALTERATION-PLUMBING TYPE: RESIDENTIAL ALTERATION  
PROPERTY: 67 EAST AVE  
ISSUED DATE: 4/05/2016  
ISSUED TO: ROTO ROOTER SERVICES CO. INC.  
135 SOUTH AVE  
W. SENECA, NY 14224

PROJECT: 0000007694 - RESIDENTIAL ALTERATION-PLUMBING TYPE: PLUMBING  
PROPERTY: 135 ELK ST  
ISSUED DATE: 4/05/2016  
ISSUED TO: RICH PELC PLUMBING  
9312 BOSTON STATE ROAD  
BOSTON, NY 14025

PROJECT: 0000007695 - FENCES TYPE: FENCES  
PROPERTY: 406 FRANKLIN ST  
ISSUED DATE: 4/05/2016  
ISSUED TO: PELLETTE, JAMES  
406 FRANKLIN ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000007696 - SHEDS, UP TO 144 SQ.FT. TYPE: SHEDS  
PROPERTY: 67 GREENWOOD PL  
ISSUED DATE: 4/06/2016  
ISSUED TO: REHRAUER, CAREY  
67 GREENWOOD PL  
SPRINGVILLE, NY 14141

PROJECT: 0000007697 - VIOLATION-VEHICLE TYPE:  
PROPERTY: 155 NEWMAN ST VIOLATION  
ISSUED DATE: 4/07/2016  
ISSUED TO: WELDNER, HOWARD  
549 NORTH ST  
ARCADE, NY 14009

PROJECT: 0000007698 - VIOLATION-PROPERTY MAINTENANCE TYPE:  
PROPERTY: 155 NEWMAN ST VIOLATION  
ISSUED DATE: 4/07/2016  
ISSUED TO: WELDNER, HOWARD  
549 NORTH ST  
ARCADE, NY 14009

PROJECT: 0000007699 - DECKS TYPE: DECKS  
PROPERTY: 95 ELLIS AVE  
ISSUED DATE: 4/11/2016  
ISSUED TO: EISENHARD, CARL L  
95 ELLIS AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000007700 - RESIDENTIAL ALTERATION TYPE:  
PROPERTY: 178 EAST HILL RUN RESIDENTIAL  
ISSUED DATE: 4/12/2016 ALTERATION  
ISSUED TO: BILL GUGINO BUILDERS INC  
14220 ROUTE 219  
SPRINGVILLE, 14141-9740

PROJECT: 0000007701 - ROOFING TYPE: ROOF  
PROPERTY: 108 MILL ST  
ISSUED DATE: 4/12/2016  
ISSUED TO: KAPRI, BISHNU  
165 LASALLE AVE  
KENMORE, NY 14217

PROJECT: 0000007702 - FIRE INSPECTION TYPE:FIRE  
PROPERTY: 344 W MAIN ST INSPECTION  
ISSUED DATE: 4/12/2016  
ISSUED TO: METAL CRAFTERS  
PO BOX 94  
COLLINS CENTER, NY 14035

PROJECT: 000007703 - RESIDENTIAL ALTERATION-ELECTRICTYPE:  
PROPERTY: 37 SUNSET LANE RESIDENTIAL  
ISSUED DATE: 4/12/2016 ALTERATION  
ISSUED TO: BRECKER, JEFF & COLLEEN  
37 SUNSET LANE  
SPRINGVILLE, NY 14141

PROJECT: 000007704 - FENCES TYPE: FENCES  
PROPERTY: 341 E MAIN ST  
ISSUED DATE: 4/12/2016  
ISSUED TO: INGERSON, JAN  
CYNTHIA JAEGER  
341 E MAIN ST  
SPRINGVILLE, NY 14141

PROJECT: 000007705 - ROOFING TYPE: ROOF  
PROPERTY: 118 WOODWARD AVE  
ISSUED DATE: 4/13/2016  
ISSUED TO: B & B HOME IMPROVEMENTS  
10726 SPRINGVILLE BOSTON RD  
SPRINGVILLE, NY 14141

PROJECT: 000007706 - ACCESSORY BUILDING TYPE:  
PROPERTY: 115 CHILDS ST ACCESSORY  
ISSUED DATE: 4/13/2016 BUILDING  
ISSUED TO: SULLIVAN, DAVID  
127 CHILDS ST  
SPRINGVILLE, NY 14141

PROJECT: 000007707 - ROOFING TYPE: ROOF  
PROPERTY: 119 S CENTRAL AVE  
ISSUED DATE: 4/13/2016  
ISSUED TO: IRISH PRIDE SERVICES  
10967 TREVETT ROAD  
SPRINGVILLE, NY 14141

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

Trustee Chamberlin had nothing to report this evening.

Trustee Wikman thanked the students for attending this evening.

Trustee Skelton had nothing to report this evening.

Trustee Moriarty presented the Mission Statement that the Animal Code Committee is asking for Board approval. After review, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustee Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to accepting the below Animal Code Committee Mission Statement.

Mission Statement

“Per meeting minutes of the Village of Springville Board of Trustees, dated January 19, 2016, an ‘Animal Code Committee’ has been formed for the purpose of reviewing, and making recommendations for potential updates or replacement of the current Village Code as it relates to the harboring of animals within the Village of Springville.”

The “Animal Code Committee” has defined a Mission Statement for the purpose of establishing procedural and functional boundaries within which the committee shall operate. The Mission Statement shall be as follows, “In accordance with minutes of January 19, 2016, it is the mission of the ‘Animal Code Committee’ to review the current Village Code, and to provide recommendations to the board of Trustees for potential updates or replacement of the existing code as it relates to the harboring of animals within the Village of Springville. The committee shall review and make recommendations as they relate to health, safety, welfare and quality of life for Springville residents and animals. It is the directive of the committee to establish its own review methodologies. All recommendation made by the Committee to the Board of Trustees shall be considered as ‘Draft’ form and may be amended for approval by the Board of Trustees at any time.”

The Animal Code Committee is looking for approval of this mission statement from the Village Board of Trustees on 4/18/16.

Committee Co-Chairs: Rob Moriarty  
Terry Skelton

Members: Carl Eisenhard  
Jason Engel  
Theresa Hart  
Bob Muhlbauer  
John Nason

Mayor Krebs informed those attending of the following;

- ❖ He was asked and accepted joining the Council of One Region Forward.
- ❖ April 29<sup>th</sup> is Arbor Day. In the Village’s Master Plan there is a plan for a Tree Committee. Superintendent Kostowniak will look into the Tree City program. Tree City is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees.

9. Executive Session Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Skelton and Moriarty voting yes, none opposed to adjourn to Executive Session at 8:14 pm to discuss legal matters.
10. 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 8:55 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk