

VILLAGE OF SPRINGVILLE  
2020 MINUTES

February 3, 2020

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 Krebs
Trustees	Alan Chamberlin Kim Pazzuti Elise Rose Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Superintendent of Public Works	Duane Boberg
Police Officer in Charge	Nicholas Budney
Fire Chief	Marc Gentner (out at 7:02pm)
Deputy Clerk	Holly Murtiff
Also Attending	Max Borsuk, Springville Journal Kellen Quigley, Springville Times
Reed Braman Jr.	Devin Kowalske

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

1. Minutes Minutes of the Regular Meeting of January 21, 2020 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Trustees Chamberlin, Wikman, Rose and Pazzuti voting yes, none opposed, Mayor Krebs abstaining.

**FIRE DEPARTMENT**

Chief Gentner updated the Board on the following;

- Calls
- Training
- General information

**PUBLIC COMMENT**

Being there was no public comment this evening Mayor Krebs closed the Public Comment portion of the meeting.

## DEPARTMENT REPORTS

### ADMINISTRATOR REPORT

2. LL 2020-1 Intro Public Hearing After explanation by Administrator Melock, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose, voting yes, none opposed to setting the public hearing for LL 2020-1 Tax Cap Override on March 2, 2020 at 7:01 pm. An advertisement will be placed in the appropriate publication.
3. Cable Franchise Agreement Public Hearing Motion was made by Mayor Krebs, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to set the public hearing for the Cable Franchise Agreement for March 2, 2020 at 7:02 pm. An advertisement will be placed in the appropriate publication.
4. Budget Modifications Motion was made by Trustee Pazzuti, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Pazzuti, Wikman, Chamberlin and Rose voting yes, none opposed to approve the below budget adjustments.

Water Fund Increase Revenue Acct 002-4-0002-4989-001 for \$38,660.40 for payment on community development grant received 01/21/2020. Increase expense account 002-5-8320-0201-001 for the same amount \$38,660.40.

5. New Fire Member Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to accepting Daimen Skinner of 14 Cochran Avenue as a new Springville Volunteer Fire Department member.

Administrator Melock reported on the following;

- December 31 was the first day to sign independent nominating petitions which can be downloaded from the Board of Elections web site [www.elections.erie.gov](http://www.elections.erie.gov) under the tab Run for Office.
- First day to file independent nominating petition is Tuesday February 4, 2020 and the last day to file independent nominating petitions for the three (3) Village Trustee spots or one (1) Village Justice spot is Tuesday Feb 11, 2020.

### SUPERINTENDENT REPORT

6. Load Tap Changer Repair Service Bid Award Motion was made by Trustee Rose, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Rose, Wikman, Chamberlin and Pazzuti voting yes, none opposed to Award Bid for Load Tap Changer Repair Services, to SPX Transformer Solutions, Inc., in the amount of \$176,750.00. They were the low bidder on January 23, 2020.
7. Water/Sewer Truck Bid Award Motion was made by Trustee Pazzuti, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Pazzuti, Chamberlin, Rose and Wikman voting yes, none opposed to award the bid for a new and unused 1 ton cab and Chassis 4x4 with dump body to Jim Murphy in the amount of \$26,539 . They were the low bidder on January 31, 2020.
8. NYPA Agreement Extension Approval After explanation by Superintendent Boberg, motion was made by Trustee Rose, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Rose, Chamberlin, Pazzuti and Wikman voting yes, none opposed to resolve that the Village of Springville Board of Trustees approves the execution of the agreement for the sale of Niagara Project Wholesale Power Energy. NYPA agreement extends our power through 2040.

Superintendent Boberg took this opportunity to inform the Board that all the materials are now on site at WWTP. Tank cleaning is started and the cover is being constructed.

#### **POLICE DEPARTMENT**

Officer in Charge Budney reported on the following;

- SPD calls
- ECSO calls

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

BI/CEO Kaleta had no report.

#### **CONTROL CENTER**

There was no Control Center report this evening.

#### **NEW BUSINESS**

9. Amendments After explanation by Mayor Krebs, motion was made by Mayor Krebs, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Rose and Wikman voting Criminal yes, none opposed to approving the below resolution and approving Mayor Krebs to forwarding Justice the resolution to those listed at the bottom.  
Reform

#### **RESOLUTION OF THE VILLAGE OF SPRINGVILLE REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE REFORMS**

WHEREAS while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the Village of Springville supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Village of Springville be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Gallivan and Assembly Member DiPietro, the New York State Conference of Mayors, and local media outlets.

#### **OLD BUSINESS**

There was no Old Business to discuss this evening.

#### **BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #213 through #237 total of \$459,649.93 of 2019/2020 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed.

#### **CONSENT AGENDA**

Motion was made by Trustee Wikman, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Wikman, Rose, Chamberlin and Pazzuti voting yes, none opposed to accept the consent agenda below.

PROJECT: 000009055 - UTILITY CHANGES-PLUMBING                      TYPE: PLUMBING  
PROPERTY:    62 CHILDS ST  
ISSUED DATE:  1/16/2020  
ISSUED TO: BAGLIO, ANNE M  
62 CHILDS ST.  
SPRINGVILLE, NY 14141

PROJECT: 000009056 - UTILITY CHANGES-PLUMBING                      TYPE: PLUMBING  
PROPERTY:    12 GREENWOOD PL  
ISSUED DATE:  1/16/2020  
ISSUED TO: FALLON, DANIELLE  
12 GREENWOOD PL  
SPRINGVILLE, NY 14141



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11. Adjourn      Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to adjourn the Regular Session at 7:28 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk