

VILLAGE OF SPRINGVILLE  
2017 MINUTES

February 6, 2017

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 Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul D. Weiss
Superintendent of Public Works	Kenneth W. Kostowniak
Officer in Charge	Nicholas Budney
Building Inspector/ Code Enforcement	Michael Kaleta
Deputy Clerk	Holly Murtiff
Absent	David Klenk, Fire Chief
Also Attending	Colleen Mahoney, Springville Journal Derek Otto, Springville Times John H. Matthew Mayer

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

1. Minutes Minutes of the Regular Meeting of January 17, 2017 were approved by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin, Wikman and Moriarty voting yes, none opposed.

**PUBLIC HEARING**

2. LL 2017-1 Mayor Krebs opened the duly advertised public hearing regarding LL 2017-1 which is Chapter the amendments to Village Code § 125-5. The revisions adding “Heritage Park at 65 125.5 Franklin and the 1.8 mile Pop Warner Rail Trail” and “at times to be posted at each location, as determined by resolution of the Village Board” to Section A. As well as adding “ Motor vehicles shall at all times be prohibited from these locations” to Section C. After discussion, motion was made by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin, Moriarty and Wikman voting yes, none opposed to closing the public hearing.
3. LL 2017-2 Mayor Krebs opened the duly advertised public hearing regarding LL 2017-2 which is Chapter 200 revisions to Chapter 200 as shown below.

§ 200-34 Permanent Variable Copy Digital Signs

- A. Are allowed
  - 1.) In a CIP District,
  - 2.) If required by another regulation.
- B. Shall be co-located on the freestanding business sign. May be the only freestanding sign when no freestanding business sign exists.
- C. Maximum size of 32 square feet. Unless restricted by another section of Chapter 200.
- D. Height and location requirements must meet requirements set forth in §200-31 and §200-32.
- E. Advertising of businesses, products or uses that are not located on that property is prohibited.
- F. No sign or part thereof or its lighting or design shall create a traffic hazard or nuisance or be unreasonable detrimental to adjoining or neighboring properties.
- G. Only one sign shall only be allowed per developed property.

Also add to §200-2 Definitions

SIGN, DIGITAL – Any programmable sign capable of displaying or projecting works, symbols, figures or graphic images that can be altered or rearranged by remote or automatic means resulting in nonstationary messages or images, typically without altering the physical face or surface of the sign. Such signs typically use LED, plasma, LCD or other illumination to produce the characters and graphics of the display.

Add to §200-35 Portable, Movable and Temporary Signs.

- (14) Type N, Feather and Flag Type Signs
  - (a) Sign area: Maximum 8' tall and 2.5" wide flag area with a maximum height of 12 feet.
  - (b) Quantity: 1 per business
  - (c) Duration: During business hours
  - (d) Zoning: Allowed on all nonresidential properties in all districts.
  - (e) Location: Must remain outside of the right-of-way of the street on the property the business is located. Exception, B1 district may be allowed in the area between the curb and the sidewalk. All must not interfere with pedestrian or vehicular traffic.

Add language to §200-8.1 R-O Retail Overlay District, C. Permitted Uses (1) to read as follows;

- (1) Dwelling units within nonresidential buildings. Provided that the total number of dwellings units shall not exceed that which is permitted by the applicable underlying district.

After discussion, motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton, Moriarty and Wikman voting yes, none opposed to closing the public hearing.

**PUBLIC COMMENT**

There was no public comment this evening.

**DEPARTMENT REPORTS**

**ADMINISTRATOR REPORT**

4. Schedule  
Tax Cap Over-  
Ride Public  
Hearing  
LL 2017-3

Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Moriarty and Skelton voting yes, none opposed to setting a public hearing for LL 2017-3, Tax Cap Override for February 21, 2017 at 7:00 pm. Advertisements will be placed in the appropriate publication.

5. Schedule  
17/18 Budget  
Public Hearing

Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed to setting a public hearing for the 17/18 Budget for March 6, 2017 at 7:00 pm. Advertisements will be placed in the appropriate publication.

6. LL 2017-1 Chapter 125.5 Motion was made by Trustee Chamberlin, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Chamberlin, Moriarty, Skelton and Wikman voting yes, none opposed to adopt LL 2017-1 as shown above in the Public Hearing section of these minutes.
7. LL 2017-2 Chapter 200 Revisions Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to adopt LL 2017-2 as shown above in the Public Hearing section of these minutes.
8. 110 S. Central Demo After explanation by Administrator Melock, motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to accepting the bid by Metro Contracting for the demolition of 110 S. Central Ave. in the amount of \$23,805. The bids were opened for this demolition on January 31, 2017.

At this time Administrator Melock reminded everyone that there will be a Town of Concord Planning Board meeting on February 7, 2017 at 7:00 pm where there will be a discussion and information on solar power.

### **SUPERINTENDENT REPORT**

Superintendent Kostowniak informed everyone that the annual bids for services and goods are currently being prepared for advertisement and distribution to returning bidders during the month of February. All bids will be opened on Monday, March 27, 2017 at 2 pm at 5 W. Main Street.

9. Heritage Park Restroom Bid Award After explanation by Superintendent Kostowniak, motion was made by Trustee Wikman, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Wikman, Moriarty, Chamberlin and Skelton voting yes, none opposed to award the bid to Lakelands Concrete Products, Inc., 7520 E. Main St. Lima, NY 14485 in the amount of \$37,832.00 for a precast concrete restroom delivered, constructed and furnished on site in Heritage Park. Sealed bid opening was on January 17, 2017, eight bid packages were sent out, one bid was submitted.
10. Surplus/ Retired Items 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 declare the following items surplus or retired and Disposed of by on-line auction, recycling or dropped at a hazardous waste facility:

93ea. Parallel groove clamps	25ea. #6 ACSR Nicopress	78ea. #6 Reliables
4ea. #6 CU Nicopress	154ea. #4 Stranded CU Nicopress	94ea. 2 Bolt Clamps
48ea. 3 Bolt Clamps	30ea. 4" Suspension Insulators	1ea. Starbeam Strobe Light
30ea. Porcelain Pin Insulators	72ea. Anderson DE-101 Clamp Quadrant Style	40ea. Temporary Cross Arm Pins
68ea. Anderson Clevis Eyes	7ea. GE lexon cover V-65-S	6ea. GE lexon covers VM-65-S
4ea. Schlumberger Lexon covers	20ea. Armor rods	11ea. Lexon cover I-70-S
68 clevis insulator brackets		

Retire: 3 each - 70 Watt Metal Halide Open Face Fixture, 2 each – 175 Watt Mercury Open Face Fixture

11. Decorative Light Pole Resolution Motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton, Moriarty and Wikman voting yes, none opposed to approving the standardization of decorative light poles manufactured by King Luminaire within the Village of Springville, and has determined that GoTToGo Electric Inc. is the manufacturer's representative for King Luminaire in NY State. Furthermore that since GoTToGo Electric Inc. is the sole source for the decorative light poles in the Village it is not subject to bidding under the Village's procurement policy.

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12. Rent Change Order Motion was made by Trustee Moriarty, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Moriarty, Wikman, Chamberlin and Skelton voting yes, none opposed to authorizing a change order from Norther Dreams Construction, Inc. 400 Kennedy Rd. Cheektowaga, NY 14227 in the amount of \$1,000 to compensate the Village for rental charges from the storage off fire trucks off site.
13. Waterline Change Order Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Moriarty and Skelton voting yes, none opposed to authorizing signing a change order to MKS Plumbing, 19 Ransier Drive West Seneca, NY to increase the contracted amount by \$448. Additional costs were incurred from an additional 2" waterline in the truck bay and minor relocation of service lines and hose bibs requested by Fire Chief Daines.

Superintendent Kostowniak informed everyone that February's fire truck storage is being paid by the general contractor, Northern Dreams as approved above. Office space and garage will be ready late February 2017.

#### **POLICE DEPARTMENT**

14. Translation Services At the request of Officer in Charge Budney, motion was made by Trustee Wikman, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Wikman, Moriarty, Chamberlin and Skelton voting yes, none opposed authorizing the Police Department to sign a contract with Language Line for as needed translation services. There is not minimum monthly fee and they bill only when translation services are needed at a rate of 75 cents per minute for translation.

Officer in Charge Budney updated everyone on the following;

- SPD January 2017 report
- SPD ECSO January 2017 report

#### **FIRE REPORT**

There was no Fire report this evening.

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

BI/CEO Kaleta had nothing to report this evening.

#### **CONTROL CENTER**

Control Center minutes of January 19, 2017 received and filed.

Trustee Chamberlin informed everyone that the Springville Control Center Advisory Board meetings will now be every other month.

#### **OLD BUSINESS**

15. Community Development Committee After discussion, motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees, Skelton, Moriarty, Chamberlin and Skelton voting yes, none opposed to the formation of the Community Development Committee which will meet on a twice annual basis. The naming of members is still to be determined. The details of the Community Development Committee are outlined below.

#### **Community Development Committee**

##### **Purpose**

To facilitate resident input in implementing and prioritizing goals and projects suggested in the

Springville Comprehensive Plan of 2014.

**Objective**

To advise the Board of Trustee of practical ideas that will lead to the completion of goals as stated in the Village of Springville Comprehensive Plan of 2014.

**Membership**

Membership includes the Mayor, a Trustee, and up to three members appointed by the Board of Trustees. Members should be residents and community members who show interest in Springville Community Development projects by volunteering with community or regional groups, who show willingness to volunteer as participants and or leaders in planning, information gathering, public awareness seminars, and who show a capacity of working cooperatively with others. Members must be approved by the Board of Trustees.

**Depth of the Committee**

The Committee may have subcommittees to address specific projects or goals of the Comprehensive Plan. Subcommittee members must be approved by the board of Trustees.

**Authority**

The Committee is advisory in nature. It advises the Board of Trustee on feasible projects, partnerships, grants, and other actions to implement goals stated in the Comprehensive Plan. The Committee has not fiduciary authority. The Committee has no authority over any Village Board or Department. The Committee is authorized to advise the Board of Trustees on implementing Comprehensive Plan goals.

**Bi-annual Meetings**

There will be two meetings each year.

**May Meeting:** The first meeting in May to discuss possible ideas to implement the Comprehensive Plan and the progress of past projects. This meeting is open to the public and broad in scope. Committee recommendations are by majority vote and should be detailed, and informed. This meeting will result in subcommittees that will refine ideas for possible discussion at the December meeting.

**December Meeting:** The second meeting will be in December to prepare a list of possible projects to the Board of Trustees which will consider the report in its budget hearings in the following month. Committee recommendations are by majority vote and should be detailed, informed, and documented. The Committee should prioritize its recommendations. Committee meetings are open to the public.

**Subcommittee Meetings**

These meetings are ad hoc, that it, directed toward a specific goal or goals of the Springville Comprehensive Plan. The Committee members may meet as often as they decide necessary between the May Meeting and the December Meeting. Minutes of the meetings must be kept and promptly submitted to the Village Administrator. Committee recommendations are by consensus and should be detailed, informed, and documented with input from Village officials. Ad hoc meetings are open to the public.

**NEW BUSINESS**

There was no new business to discuss this evening.

**BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #215 through #233 total of \$335,825.98 of 2016/2017 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, Skelton and Moriarty voting yes, none opposed.



PROJECT: 0000008000 - PLANNING BOARD REVIEW PROPERTY: 336 VAUGHN ST ISSUED DATE: 1/27/2017 ISSUED TO: ZAHM & MATSON 1756 LINDQUIST DR FALCONER, NY 14733	TYPE: PLANNING BOARD REVIEW
PROJECT: 0000008001 - UTILITY CHANGES-PLUMBING PROPERTY: 365 N BUFFALO ST ISSUED DATE: 1/31/2017 ISSUED TO: HUDSON, GEORGE 542 GEER RD ARCADE, NY 14009	TYPE: PLUMBING
PROJECT: 0000008002 - VIOLATION-UNLICENCED VEHICLE PROPERTY: 315 W MAIN ST ISSUED DATE: 1/31/2017 ISSUED TO: DISPENZA, JAMIE 315 W MAIN ST SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000008003 - VIOLATION-SNOWREMOVAL PROPERTY: 71 SUNSET LANE ISSUED DATE: 1/31/2017 ISSUED TO: JOHNSON, MICHAEL A 71 SUNSET LANE SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000008004 - VIOLATION PROPERTY: 58 RAUCH DR ISSUED DATE: 1/31/2017 ISSUED TO: KIRKPATRICK, GARY & BEVERLY 58 RAUCH DR SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000008005 - UTILITY CHANGES PROPERTY: 126 EAST AVE ISSUED DATE: 2/01/2017 ISSUED TO: DAINS, DENNIS M 126 EAST AVE. SPRINGVILLE, NY 14141	TYPE: UTILITY CHANGES
PROJECT: 0000008006 - VIOLATION-GARBAGE IN ALLEY PROPERTY: 10 N BUFFALO ST ISSUED DATE: 2/02/2017 ISSUED TO: ZIELINSKI, LAWRENCE 10 N BUFFALO ST SPRINGVILLE, NY 14141	TYPE: VIOLATION

PROJECT: 0000008007 - UTILITY CHANGES-ELECTRIC                   TYPE: ELECTRIC  
PROPERTY: 243 WAVERLY ST  
ISSUED DATE: 2/02/2017  
ISSUED TO: DEINZER, JOSHUA  
2333 MAIN ST  
COLLINS, NY 14034

PROJECT: 0000008008 - RESIDENTIAL ALTERATION                   TYPE: RESIDENTIAL  
PROPERTY: 378 N BUFFALO ST   ALTERATION  
ISSUED DATE: 2/03/2017  
ISSUED TO: CERASANI, ASA  
378 N BUFFALO  
SPRINGVILLE, NY 14141

PROJECT: 0000008009 - UTILITY CHANGES                           TYPE: UTILITY CHANGES  
PROPERTY: 378 N BUFFALO ST  
ISSUED DATE: 2/03/2017  
ISSUED TO: CERASANI, ASA  
378 N BUFFALO  
SPRINGVILLE, NY 14141

PROJECT: 0000008010 - DRIVEWAY                                       TYPE: DRIVEWAY  
PROPERTY: 378 N BUFFALO ST  
ISSUED DATE: 2/03/2017  
ISSUED TO: CERASANI, ASA  
378 N BUFFALO  
SPRINGVILLE, NY 14141

**TRUSTEE NOTES & PROJECT REPORTS**

Trustee Moriarty commented on the following;

- SVFD Installation dinner went very well.
- He recently attended an Erie County Water Authority meeting where the topic of discussion was Microfibers in the water.

Trustee Skelton congratulated Trustee Wikman for receiving the Citizen of the Year award at the recent Springville Area Chamber of Commerce Awards dinner.

Trustee Chamberlin had nothing to report this evening.

Trustee Wikman had nothing to report this evening.

Mayor Krebs informed everyone that there will be a One Region Forward meeting in Springville on 2/10/17 at 10:00 am.

16. Executive Session   Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to adjourn to Executive Session to discuss legal and personnel matters at 8:03 pm.
17. Officer in Charge Payroll Change   Upon return from Executive Session, motion was made by Trustee Moriarty, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Moriarty, Skelton, Chamberlin and Wikman voting yes, none opposed to changing Officer in Charge Nick Budney to a 19 hour per week salary position versus his current hourly payroll status.

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18. Adjourn

Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Wikman and Chamberlin voting yes, none opposed to adjourn the Regular Session at 8:47 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk