

DRAFT

VILLAGE OF SPRINGVILLE
2021 MINUTES

November 15, 2021

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	Reed Braman Kim Pazzuti Terry Skelton Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Police Officer in Charge	Nicholas Budney
Deputy Clerk	Holly Murtiff
Also Attending	Max Borsuk, Springville Journal Clyde Drake, Concord Supervisor Jim Krezmien, Concord Councilman Jeff Souder, Assemblyman DiPietro's office
Absent	Marc Gentner, Fire Chief Duane Boberg, DPW Superintendent

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

1. Minutes Minutes of the Regular Meeting of November 1, 2021 were approved as written by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Pazzuti and Braman voting yes, none opposed.

PUBLIC COMMENT

There was no Public Comment this evening.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

2. Return of Unpaid Taxes To Erie County Motion was made by Trustee Wikman, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Wikman, Pazzuti, Braman and Skelton voting yes, none opposed to authorizing the attached list of unpaid 21/22 Village taxes being sent to Erie County. **111521 A.1**
3. Budget Modifications Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Braman and Pazzuti voting yes, none opposed to approving the attached 21/22 budget modifications. **111521 A.2**

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4. Public Hearing LL 6-2021 Motion was made by Trustee Wikman, seconded by Trustee Pazzuti; carried, Mayor Krebs, authorizing a public hearing be held on December 6, 2021 at 7:01 pm for LL 6-2021, amendments to Article V Residency Section 20-12 Residency Area-Add Lawtons. A notice will be placed in the appropriate publication.

5. Award WWTP Improvement Project Bid Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Braman and Pazzuti voting yes, none opposed to award WWTP improvement project bid to H&K Services Inc., 12025 Leon Rd., Leon, NY 14751 for a base bid amount of \$4,291,400 and Alternate Bid amount of \$1,170,600 for a total bid price awarded of \$5,462,000 per recommendation from our engineer, Gus Mass of Greenman-Pederson Inc. (GPI), based on the bid results of November 12, 2021.

6. Brogan Sewer Forgiveness Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Braman and Pazzuti voting yes, none opposed to approving a \$45 sewer forgiveness to account #01-0800-01 as they have complied with all the requirements to request such.

Administrator Melock discussed with the Board the following;

- Parking Ban effective Nov 10- April 1st 2 – 7 AM on village streets and overnight parking in designated areas in Shuttleworth parking lot only.
- Financial reports (Treasurer's Report) – Balance Sheets, Rev & Exp Summaries have been submitted to the village board for the period Oct 2021.
- Election notice in all 3 papers.

SUPERINTENDENT REPORT

In Superintendent Boberg's absence Administrator Melock updated the Board on the following;

- The N. Central water main project has all the services switched over to the new main. They started to interconnections on Tuesday. With good weather all the pipe work should be done this week.
- Eaton Park project has all the old blacktop removed and KTG has started to level and get ready to put binder down.
- Skatepark is on schedule to finish by the end of the month. DPW will do restoration work in the spring.
- The Streets Dept is still picking up leaves. They will continue until snow makes it not possible to pick up. We are asking residents to put leaves out by the road (no plastic bags) and not to mix brush or flower clippings in with the leaves.

POLICE DEPARTMENT

Officer in Charge Nick Budney had no report this evening.

FIRE DEPARTMENT

There was no fire report this evening.

BUILDING INSPECTOR/CEO

BI/CEO had nothing to report this evening but did comment that there is now a tv/projection system installed in the courtroom.

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CONTROL CENTER

The Control Center October 2021 report was read by Trustee Wikman this evening.

- Personnel
- Equipment
- October 2021 volume report

NEW BUSINESS

7. **Zombie Property Resolution** Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Braman and Pazzuti voting yes, none opposed to approving the below resolution and authorizing Mayor Krebs to sign this resolution.

WHEREAS, a “Zombie Foreclosure” occurs when a homeowner vacates their property after a mortgage default and threat of foreclosure, with the home becoming a “Zombie” because the bank has not completed the foreclosure process; and

WHEREAS, the longer a property remains in the foreclosure process, the more often neighboring homeowners will struggle with a multitude of issues, such as an unattended home becoming a danger to children, a potential place for vagrants and squatters to move in without fear of eviction, as well as unkempt landscaping leading to an increase in unwanted wildlife during the summer months and obstructed sidewalks during the winter months; and

WHEREAS, vacant homes diminish the value of surrounding properties, sometimes significantly lowering the sale price of an entire street, and blighted properties may result in demolition; and

WHEREAS, diminished property values present budgetary and property tax revenue challenges for towns, villages and cities in Erie County; and

WHEREAS, the Erie County Clerk, Michael P. Kearns, and the Western New York Law Center (the “Law Center”) for over a decade have been undertaking various efforts and initiatives to combat the impacts that Zombie Foreclosures have on neighborhoods in Erie County; and

WHEREAS, the New York State Legislature passed the 2016 Zombie Property and Foreclosure Prevention Law (the “Zombie Foreclosure Law”), which in part amends New York Real Property Actions and Proceedings Law (“RPAPL”) Section 1308 to require holders of first lien mortgages, or their servicing agents, to secure and maintain vacant one-to-four family properties; and

WHEREAS, the Law provides the following tools in the fight against Zombies: banks or servicers that fail to maintain properties can face potential penalties of up to \$500 per day per property; creation of an expedited foreclosure process; and, RPAPL Section 1310’s establishment of a statewide database of abandoned properties to be maintained by the New York State Department of Financial Services;

WHEREAS, the Erie County Legislature has provided the Erie County Clerk, Michael P. Kearns, and the Western New York Law Center with effective resources to: deliver technical assistance to County municipalities; engage the community to persuade lenders to complete the foreclosure process and perform regular property maintenance; and enforce the Zombie Foreclosure Law; and

WHEREAS, in September of 2019, Erie County Clerk, Michael P. Kearns, announced the creation of the Erie County Clerk’s ZOMBIES Initiative (Zero tolerance; Open lines of communication; Municipal participation; Bank accountability; Interest in neighborhoods; Engage and educate communities; Solutions) to provide additional resources to Erie County municipalities and communities facing Zombie Foreclosures; and

WHEREAS, the emergence of the COVID-19 pandemic and its widespread financial impacts caused the statewide default on mortgages to soar to 11.8% at the height of the pandemic, and recent numbers from October 2021 showed that 7.4% of all homeowners in New York State were behind on their mortgage payments; and

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WHEREAS, in February of 2021, the Erie County Clerk and members of the Erie County Zombie Foreclosure Task Force created the “Stay in Your Home Campaign” to introduce effective strategies to combat foreclosures caused by the COVID-19 pandemic; and

WHEREAS, ever changing state and federal regulations have temporarily staved off a surge in foreclosures but it is anticipated that foreclosures will sharply increase once these measures end; and

WHEREAS, hundreds of homes in Erie County are currently considered “Zombies,” stuck in foreclosure limbo and a drastic increase in the number of foreclosures will escalate the possibility of more Zombie properties; and

WHEREAS, the Erie County Clerk’s ZOMBIES Initiative has resolved issues with dozens of Zombies in Erie County; and

WHEREAS, the County of Erie is New York State’s leader in combatting Zombies;

WHEREAS, tackling the problem of Zombies in Erie County requires effective communication and cooperation to ensure properties are appropriately targeted and municipalities have potent and practical resources to protect their communities.

NOW THEREFORE, BE IT

RESOLVED, that the Board of Trustees of Village of Springville supports the Erie County Clerk’s ZOMBIES Initiative and the Stay in Your Home Campaign; and be it further

RESOLVED, that the Board of Trustees of Village of Springville hereby pledges to avail itself of the technical assistance available from the ZOMBIES Initiative to develop a strategy to address and prevent Zombies; and be it further

RESOLVED, that the Board of Trustees of Village of Springville encourages community engagement to report Zombies; and be it further

RESOLVED, that the Village Clerk shall forward a certified copy of this resolution to Erie County Clerk, Michael P. Kearns.

OLD BUSINESS

8. Town of Concord Sewer Request
- At this time the Board discussed the request of the Town of Concord presented at the November 1, 2021 Board meeting. The Town’s request is for the Village to provide Village sewer service to the Town’s Highway barn located outside the village at 13076 North Central Avenue. The Mayor and Board discussed the matter and then listened to Jim Krezmien, Town Councilman’s comments. After further discussion was closed, motion was made by Mayor Krebs, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Skelton, Braman, Pazzuti and Wikman voting yes, none opposed to not provide sewer service outside the village boundary as requested by the Town of Concord.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #136 through #150 of 2021/2022 total of \$234,109.36 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Wikman, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Wikman, Pazzuti, Skelton and Braman voting yes, none opposed.

PERMITS AND APPLICATIONS

Motion was made by Trustee Wikman, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Wikman, Braman, Skelton and Pazzuti voting yes, none opposed to accepting the permits and applications attached.

Minutes of the Historic Preservation Commission meeting on October 12, 2021. **CA.1**

Minutes of the Zoning Board of Appeals on October 13, 2021. **CA.2**

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PROJECT: 0000009733 - EVENT
PROPERTY: 393 NORTH ST
ISSUED DATE: 10/28/2021
ISSUED TO: SPRINGVILLE KIWANIS
PO BOX 104
SPRINGVILLE, NY 14141

TYPE: EVENT

PROJECT: 0000009734 - UTILITY CHANGES
PROPERTY: 18 COCHRAN AVE
ISSUED DATE: 10/29/2021
ISSUED TO: REINHARDT, MARY
18 COCHRAN AVE
SPRINGVILLE, NY 14141

TYPE: UTILITY

PROJECT: 0000009735 - HISTORIC PRESERVATION/SIGN
PRESERV
PROPERTY: 91 W MAIN ST
ISSUED DATE: 11/02/2021
ISSUED TO: SALEM LUTHERAN CHURCH
91 W. MAIN ST.
SPRINGVILLE, NY 14141

TYPE: HISTORIC
REVIEW

PROJECT: 0000009736 - FENCES
PROPERTY: 62 W EDGEWOOD DR
ISSUED DATE: 11/03/2021
ISSUED TO: TURNER, DAVID
62 W EDGEWOOD DR
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009737 - RESIDENTIAL ALTERATION
PROPERTY: 22 CHURCH ST
ISSUED DATE: 11/04/2021
ISSUED TO: MAYBRAY, JEFFREY & TRACY
22 CHURCH ST.
SPRINGVILLE, NY 14141

TYPE: RESIDENTIAL
ALTERATION

PROJECT: 0000009738 - ROOFING
PROPERTY: 360 N BUFFALO ST
ISSUED DATE: 11/05/2021
ISSUED TO: NORTHEAST PRO ROOFING, INC
76 JASPER DR
BUFFALO, NY 14226

TYPE: ROOF

PROJECT: 0000009739 - SIGNS
PROPERTY: 11 W MAIN ST
ISSUED DATE: 11/08/2021
ISSUED TO: WATERMARK WESLEYAN CHURCH
4999 MCKINLEY PKWY
HAMBURG, NY 14075

TYPE: SIGNS

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PROJECT: 0000009740 - SIGNS
PROPERTY: 17 W MAIN ST
ISSUED DATE: 11/08/2021
ISSUED TO: WATERMARK WESLEYAN CHURCH
4999 MCKINLEY PARKWAY
HAMBURG, NY 14075

TYPE: SIGNS

VILLAGE ATTORNEY REPORT

Village Attorney Paul Weiss had nothing to report this evening.

TRUSTEE NOTES & PROJECT REPORTS

Trustee Skelton had nothing to report this evening but did comment that although the Town of Concord was not happy with the decision sometimes these tough decisions do have to be made.

Trustee Wikman remarked that the Board must make decisions that are in the best interest of the Village of Springville.

Trustee Braman remarked that COVID cases are rising.

Trustee Pazzuti heard that the Veterans' Day ceremony was very nice.

Mayor Krebs commented on the following;

- Very Merry Springville is scheduled for 11/27/21
- The area is currently in the midst of a 4th COVID wave
- Happy Thanksgiving to everyone

9. Adjourn Motion was made by Trustee Wikman, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Wikman, Braman, Skelton and Pazzuti voting yes, none opposed to adjourn the Regular Session at 7:38 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk