

Village of Springville
5 West Main Street
Springville, N.Y. 14141-0017

JULY 13, 2020

7:00 P.M.

BY MOTION OF:

NOTES

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. MINUTES FROM MEETINGS

Regular Meeting Minutes of June 15, 2020 **A.1**

4. PUBLIC HEARING

LL 2020-1 Chapter 170 – Trees **A.2**

5. PUBLIC COMMENT

6. DEPARTMENT REPORTS

A. ADMINISTRATOR **A.3**

- SEQR LL 2020-1
- Negative Declaration LL 2020-1
- Adopt LL 2020-1 Chapter 170 Trees
- Appoint Village Prosecutor (until April 6, 2021)
 - Weiss, Paul
 - Tripi, Yvonne
- Accept resignation – J. Emerling, Planning Board Member
- Accept resignation – S. Bugary, PT Police Dispatcher
- Authorize advertising of Public Hearing on Revisions to following;
 - Chapter 193-5
 - Chapter 193-85
 - Chapter 193-87
 - Chapter 193-88
- Approve two new SVFD members
 - Joshua Owen, 62 Prospect Ave.
 - Gary Bunnell, 125 North St.

Discussion

- Electric payment arrangements
- Village Elections, September 15th
- Downtown Concert Series
- Village financial audit week of July 27th

B. SUPERINTENDENT'S REPORT **A.4**

- Permanent Appointment Approval
 - Pefley, A., Streets Division
- #53 truck award to Jim Murphy Chevy approval

C. POLICE **A.5**

Report

D. FIRE DEPARTMENT

E. BUILDING INSPECTOR/CEO

F. CONTROL CENTER **A.6**

June 2020

7. NEW BUSINESS

Steelbound

➤ Application for extended license/premises

Springville Center for the Arts

➤ murals/sculpture

8. OLD BUSINESS

War of 1812 Monument approval (Shuttleworth Park) **A.7**

COVID 19 Update

Concerts in the Park Update

Legacy Restaurant

➤ Alley use

9. BILLS

10. PERMITS AND APPLICATIONS

11. VILLAGE ATTORNEY REPORT

12. TRUSTEE NOTES & PROJECT REPORT

13. EXECUTIVE SESSION

14. ADJOURN

DRAFT

VILLAGE OF SPRINGVILLE 2020 MINUTES

June 15, 2020

7:00 P. M.

The Regular Meeting of the Trustees of the Village of Springville was held online via Gotowebinar in Springville, New York at the above date and time. Present were:

Mayor	William Krebs
Trustees	Alan Chamberlin Kim Pazzuti Nils Wikman
Village Attorney	Paul Weiss
Village Administrator	Liz C. Melock
Superintendent of Public Works	Duane Boberg
Code Enforcement Officer	Mike Kaleta
Officer in Charge	Nick Budney
Also Attending	Max Borsuk, Springville Journal Terry Skelton Devin Kowalske
Absent	Holly Murtiff, Deputy Clerk Marc Gentner, Fire Chief

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

Mayor Krebs explained due to COVID-19 he prepared a PowerPoint presentation for the board meeting and the village administrator would read the department head reports. The Mayor and Trustees were visible via webcams and the administrator and attorney were on the call with cameras off. The attending department heads were on the webinar but muted. This will be the last board meeting on Gotowebinar. July 13th meeting will be back at 65 Franklin St in the court room.

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

PUBLIC COMMENT – moved to the end of the presentation.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

2. 19-20 Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin and Pazzuti voting yes, none opposed to modifying the 19-20 Budget to account for transfers at year end.
Modify
Budget

DRAFT

June 15, 2020
Page (2)

Budget Transfers 19-20

Board mtg 06/15/2020

Amount		From Account	To Account
			7110-0410-001
\$	628.00	7110-0420-001	1130-0100-001
\$	900.00	1130-0200-001	1130-0100-001
\$	25.00	1130-0400-001	3020-0100-001
\$	1,742.00	3020-0200-001	3020-0100-001
\$	1,235.00	3020-0400-001	5110-0100-001
\$	2,413.00	5110-0230-001	8170-0100-001
\$	3.00	5110-0230-001	8560-0100-001
\$	334.00	8560-0410-001	8560-0120-001
\$	178.00	8560-0410-001	001
\$	7,458.00		
Water Fund			
\$	28.00	02-8320-0411-001	02-8310-0441-001
\$	1.00	02-8340-0421-001	02-1420-0100-002
\$	760.00	02-8340-0121-001	02-8340-0101-001
\$	1,801.00	02-8340-0461-001	02-8340-0101-001
\$	2,590.00		

DRAFT

June 15, 2020

Page (3)

Sewer Fund

\$	28.00	03-8120-0441-001	03-8110-0441-001
\$	551.00	03-8130-0411-001	03-8130-0451-001
\$	1.00	03-8130-0411-001	03-1420-0100-003
\$	502.00	03-8130-0101-001	03-8120-0121-001
\$	1,082.00		

In the 19-20 budget the amount for AIM RELATED PAYMENT was in the sales tax line so the 19-20 budget needs to be adjusted for the new OSC Revenue #

Decrease 1120 by \$35518 and increase 2750 by \$35518 in the General Fund

3. Saunders Tax Petition Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs. Trustees Wikman, Chamberlin and Pazzuti voting yes, none opposed to approving the Mayor to sign the correcting tax petition for 20-21 for Dan & Sandra Saunders parcel at 290 Elm St 335.12-2-1.111 in the amount of \$3,237.30. This parcel was split in a prior year and the main SBL was not removed from the Concord Assessor's office from our assessment file.
4. BENLIC Tax Petition Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs. Trustees Wikman, Chamberlin and Pazzuti voting yes, none opposed to approving the Mayor to sign the correcting tax petition for 20-21 for BENLIC Parcel at 48 Albro St parcel 335.19-6-4 in the amount of \$1,722.78. This parcel was purchased by Buffalo Erie Niagara Land Improvement Corporation and therefore are immediately exempt from all taxes including sewer Rents and user charges upon acquisition.
5. SVFD Member Palmisano Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs. Trustees Wikman, Chamberlin and Pazzuti voting yes, none opposed to approving Everett Palmisano from 11522 Bolton Rd Springville as a member of the Springville Volunteer Fire Department.
6. Advertise Public Hearing Motion was made by Mayor Krebs, seconded by Trustee Chamberlin; carried, Mayor Krebs. Trustees Wikman, Chamberlin and Pazzuti voting yes, none opposed to advertising for a public hearing for revisions to Chapter 170 Trees- Local Law 1 of 2020 to be held on July 13th at 7:01 pm at 65 Franklin St 2nd floor board room. Draft of the Local Law will be on our website.

Administrator Melock announced the following;

- Village tax bills were mailed to owner on record on May 29th. They are due into the village by July 1st. We are accepting payments in person and through the drop box, mail, online or over the phone.
- Please contact the office for payment arrangements on your electric account if you are unable to pay your bill in full each month.
- Village of Springville election date is Sept 15, 2020. Once there is more info available we will pass it on. Absentee ballot application is available on our web page www.villageofspringvilleny.com under forms. It must be returned by Sept 8th.

DRAFT

June 15, 2020

Page (4)

- Board meetings will be returning to 65 Franklin St starting with the July 13th meeting. Reminder in the months of July, Aug and Sept we only have one meeting in the middle of the month. July 13, Aug 17th and Sept 14th.

SUPERINTENDENT REPORT – read by Administrator Melock

7. Bid Pkg
Water/Sewer
Truck #53
- Motion was made by Trustee Pazzuti, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Wikman, Chamberlin and Pazzuti voting yes, none opposed to approving the advertisement of a new Water-Sewer Truck #53 four door pickup with utility box. The old one will be purchased by the Fire Department for the trade value.

At this time Superintendent Boberg wanted everyone updated that the digester cover is now sealed with the foam insulation which has also been painted. The contractor is complete with their work. CHIPS money was released from NYS on June 8th with a 20% cut to our award amount. N Buffalo from Chapel to North St is scheduled to be NOVA chipped in late June –early July and Nason Blvd from the Electric Shop to the end will be scheduled once the written quotes are received. SGI senior banners were put up today on Main St by the Electric Dept. D&H Main St Paving project is nearing completion with the roads now paved. Stripping, some sidewalk and signal work remains.

POLICE DEPARTMENT – read by Administrator Melock

Officer In Charge Nick Budney would like to thank the Springville Kiwanis Club for again graciously donating ice cream certificates valid at the Springville Dairy for the Cones for Kindness Program with our Police Officers.

FIRE REPORT

No report

BUILDING INSPECTOR/CEO

No report

CONTROL CENTER

May 2020 report presented by Trustee Chamberlin.

NEW BUSINESS

Request by Legacy Restaurant to use the back alley for a patio per the SLA approval during COVID for a 30 day period.

Motion was made by Mayor Krebs, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin and Pazzuti voting yes, none opposed to approving the request with the following conditions:

approves filing a Municipality Application to Temporarily Extend Licensed Premises To a Municipal Street Sidewalk or Other Outdoor Area so that the Legacy Restaurant may extend its licensed premise to South Buffalo St Entrance to the Municipal Parking Lot, with the following conditions:

1. CEO Mike Kaleta develops a diagram of space in the South Buffalo Entrance to the Municipal Parking Lot to Temporarily Extend the Licensed Premises of the Legacy Restaurant.

DRAFT

June 15, 2020

Page (5)

2. The diagram should be based on the diagram submitted by Mr Rhinehart but include: dimensions, table and chair configuration, clear identification of Village owned property, and explanation of how the area will be contained.
3. Furthermore, CEO Mike Kaleta should assure that the Legacy's Extension Plan complies with local and NYS building code, DOH regulations for Phase 3, and SLA regulations for the Temporary Extension.
4. Mr. Rhinehart's Extension Plan will include hours of operation from 11:00 AM to 9:00 PM, no outside music, no outside bar, seating only and not standing, a supervisory plan, and maintenance plan by the Legacy Restaurant for the outside extension.
5. Mr. Rhinehart's Extension Plan must name the Village as an additional insured on the restaurant's insurance coverage and provide evidence of that rider.
6. Mr. Rhinehart must execute and sign the Licensee Certification for Temporary Extension of Licensed Premises Onto Municipal Property.
7. Mr. Rhinehart's Extension Plan is a temporary request for 30 days, but may be renewed if NYS SLA continues this emergency permit.
8. Upon the lapse of insurance requirements by the Legacy Restaurant for the Village, or violations of any conditions in the Municipal Application, there is immediate rescission of the Village of Board of Trustee approval.

OLD BUSINESS

There was no Old Business this evening.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #347 through #360 total of \$23,026.60 of 2019/2020 and #16 through #29 total of \$367,413.72 of 2020/2021 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 and Pazzuti voting yes, none opposed.

PERMITS AND APPLICATIONS

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

PROJECT: 0000009132 - DECKS
PROPERTY: 171 MAPLE AVE
ISSUED DATE: 5/28/2020
ISSUED TO: GALLO, LINDA
171 MAPLE AVE
SPRINGVILLE, NY 14141

TYPE: DECKS

DRAFT

June 15, 2020

Page (6)

PROJECT: 0000009133 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 616 FRANKLIN ST
ISSUED DATE: 6/01/2020
ISSUED TO: HELMBRECHT, BRIAN
11380 SPRINGVILLE BOSTON ROAD
EAST CONCORD, NY 14055

PROJECT: 0000009134 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 310 NEWMAN ST
ISSUED DATE: 6/01/2020
ISSUED TO: HEIM, GREG & ALEXIS
310 NEWMAN ST
SPRINGVILLE, NY 14141

PROJECT: 0000009135 - SWIMMING POOLS TYPE: SWIMMING
PROPERTY: 239 ELM ST POOL
ISSUED DATE: 6/01/2020
ISSUED TO: SNYDER, LARRY
239 ELM ST
SPRINGVILLE, NY 14141

PROJECT: 0000009136 - ROOFING TYPE: ROOF
PROPERTY: 86 PEARL ST
ISSUED DATE: 6/01/2020
ISSUED TO: BG PROPERTIES & MAINTENANCE
PO BOX 85
BOSTON, NY 14025

PROJECT: 0000009137 - FENCES TYPE: FENCES
PROPERTY: 346 N BUFFALO ST
ISSUED DATE: 6/02/2020
ISSUED TO: MICHAELS, TIMOTHY
SUSAN MICHAELS
346 N BUFFALO ST
SPRINGVILLE, NY 14141

PROJECT: 0000009138 - VIOLATION- GRASS TYPE: VIOLATION
PROPERTY: 289 W MAIN ST
ISSUED DATE: 6/02/2020
ISSUED TO: CARROLL, JANICE
289 W MAIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000009139 - SWIMMING POOLS TYPE: SWIMMING
PROPERTY: 135 MILL ST POOL
ISSUED DATE: 6/03/2020
ISSUED TO: NGUYEN, TONY
135 MILL ST
SPRINGVILLE, NY 14141

DRAFT

June 15, 2020
Page (7)

PROJECT: 0000009140 - DECKS
PROPERTY: 419 FRANKLIN ST
ISSUED DATE: 6/04/2020
ISSUED TO: SPRAGUE, ADAM
423 FRANKLIN ST
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009141 - DECKS
PROPERTY: 88 EATON ST
ISSUED DATE: 6/04/2020
ISSUED TO: ROGERS, GERALD & BETTY
88 EATON ST
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009142 - ACCESSORY BUILDING
PROPERTY: 435 MILL ST
ISSUED DATE: 6/04/2020
ISSUED TO: HUDZINSKI, LORI
38 RAUCH DR
SPRINGVILLE, NY 14141

TYPE: ACCESSORY
BUILDINGS

PROJECT: 0000009143 - FIRE INSPECTION
PROPERTY: 31 E MAIN ST
ISSUED DATE: 6/04/2020
ISSUED TO: BEEMANS STOP AND GO THRIFT
31 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: FIRE
INSPECTION

PROJECT: 0000009144 - DRIVEWAY
PROPERTY: 54 MAPLE AVE
ISSUED DATE: 6/05/2020
ISSUED TO: COBO, DENNIS JR
54 MAPLE AVE
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

PROJECT: 0000009145 - FENCES
PROPERTY: 31 CATTARAUGUS ST
ISSUED DATE: 6/08/2020
ISSUED TO: FISHER, JEFFERY
31 CATTARAUGUS ST
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009146 - VIOLATION-FENCE HEIGHT
PROPERTY: 406 FRANKLIN ST
ISSUED DATE: 6/08/2020
ISSUED TO: PELLETTE, JAMES
406 FRANKLIN ST.
SPRINGVILLE, NY 14141

TYPE: VIOLATION

DRAFT

June 15, 2020
Page (8)

PROJECT: 0000009147 - VIOLATION-GRASS TYPE: VIOLATION
PROPERTY: 164 N BUFFALO ST
ISSUED DATE: 6/08/2020
ISSUED TO: LAMPHIER, WILLIAM
164 N BUFFALO ST
SPRINGVILLE, NY 14141

PROJECT: 0000009148 - VIOLATION-GRASS TYPE: VIOLATION
PROPERTY: 360 N BUFFALO ST
ISSUED DATE: 6/08/2020
ISSUED TO: COLLIGAN, LAURA
360 N BUFFALO ST
SPRINGVILLE, NY 14141

PROJECT: 0000009149 - VIOLATION-GRASS TYPE: VIOLATION
PROPERTY: 159 WAVERLY ST
ISSUED DATE: 6/08/2020
ISSUED TO: PORTERFIELD, JOHN
159 WAVERLY ST.
SPRINGVILLE, NY 14141

PROJECT: 0000009150 - VIOLATION-TIRES AT ROAD TYPE: VIOLATION
PROPERTY: 48 CHESTNUT ST
ISSUED DATE: 6/08/2020
ISSUED TO: MYERS, JAMES SR
48 CHESTNUT ST
SPRINGVILLE, NY 14141

PROJECT: 0000009151 - LICENSES TYPE: LICENSES
PROPERTY: 71 NASON BLVD
ISSUED DATE: 6/01/2020
ISSUED TO: MRC DISPOSAL, INC.
71 NASON BLVD
SPRINGVILLE, NY 14141

PROJECT: 0000009152 - LICENSES TYPE: LICENSES
PROPERTY: 5 W MAIN ST VO
ISSUED DATE: 6/01/2020
ISSUED TO: COMMUNITY DISPOSAL SERVICES
11081 GALEN HILL RD
FREEDOM, NY 14065

PROJECT: 0000009153 - LICENSES-FOOD TRUCK VENDORS TYPE:
PROPERTY: 127 MAPLE AVE LICENSES
ISSUED DATE: 6/01/2020
ISSUED TO: JAKE AND THE FATMAN BBQ
127 MAPLE AVE
SPRINGVILLE, NY 14141

DRAFT

June 15, 2020

Page (9)

PROJECT: 0000009154 - LICENSES-FOOD TRUCK VENDOR
PROPERTY: 182 E MAIN ST
ISSUED DATE: 6/01/2020
ISSUED TO: MOOCHEESY
182 E MAIN ST
SPRINGVILLE, NY 14141

TYPE:
LICENSES

PROJECT: 0000009155 - VIOLATION-GRASS
PROPERTY: 217 WAVERLY ST
ISSUED DATE: 6/08/2020
ISSUED TO: WILLIBEY, MATTHEW J
9205 GENESEE RD
EAST CONCORD, NY 14055

TYPE: VIOLATION

PROJECT: 0000009156 - VIOLATION-TRASH
PROPERTY: 217 WAVERLY ST
ISSUED DATE: 6/08/2020
ISSUED TO: WILLIBEY, MATTHEW J
9205 GENESEE RD
EAST CONCORD, NY 14055

TYPE: VIOLATION

PROJECT: 0000009157 - VIOLATION-VEHICLES
PROPERTY: 217 WAVERLY ST
ISSUED DATE: 6/09/2020
ISSUED TO: WILLIBEY, MATTHEW J
9205 GENESEE RD
EAST CONCORD, NY 14055

TYPE: VIOLATION

PROJECT: 0000009158 - FENCES
PROPERTY: 49 OHIO ST
ISSUED DATE: 6/09/2020
ISSUED TO: HEINEMAN, AMY
49 OHIO ST
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009159 - DECKS
PROPERTY: 329 WAVERLY ST
ISSUED DATE: 6/09/2020
ISSUED TO: JENN-CO CONSTRUCTION, INC.
649 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009160 - ACCESSORY BUILDING
PROPERTY: 329 WAVERLY ST
ISSUED DATE: 6/09/2020
ISSUED TO: JENN-CO CONSTRUCTION, INC.
649 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: ACCESSORY
BUILDINGS

DRAFT

June 15, 2020

Page (9)

PROJECT: 0000009161 - ACCESSORY BUILDING
PROPERTY: 329 WAVERLY ST
ISSUED DATE: 6/09/2020
ISSUED TO: JENN-CO CONSTRUCTION, INC.
649 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: ACCESSORY
BUILDINGS

PROJECT: 0000009162 - UTILITY CHANGES-WATER
PROPERTY: 165 MAPLE AVE
ISSUED DATE: 6/09/2020
ISSUED TO: COMMERFORD, MARY
165 MAPLE AVE
SPRINGVILLE, NY 14141

TYPE: PLUMBING

PROJECT: 0000009163 - DECKS
PROPERTY: 150 WOODWARD AVE
ISSUED DATE: 6/09/2020
ISSUED TO: PARENT, KAREN
150 WOODWARD AVE
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009164 - ROOFING
PROPERTY: 109 PROSPECT AVE
ISSUED DATE: 6/10/2020
ISSUED TO: EWERT, KEVIN
109 PROSPECT AVE
SPRINGVILLE, NY 14141

TYPE: ROOF

VILLAGE ATTORNEY REPORT

No report

TRUSTEE NOTES & PROJECT REPORTS

Trustee Chamberlin no report

Trustee Pazzuti glad paving is done and the banners look great.

Trustee Wikman thanked electric dept for getting the banners put up and the good coordination between the village and school with the banner project

Mayor Krebs – Phase 3 starts tomorrow – inside restaurant dining and nail salons. Utilizing NYS Parks recommendations Thursdays Downtown concerts in the parks planning has started for July 16th start date. HHW event in the Southtowns on June 27th from 8 am – 1pm – register to find the location. Thanked the employees.

9. Adjourn

Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Pazzuti voting yes, none opposed to adjourn the Regular Session at 7:48 pm.

Respectfully submitted,

Liz Melock
Village Administrator

Chapter 170. Trees

§ 170-1 Title

This chapter shall be known and may be cited as the "Tree Law of the Village of Springville, Erie County, New York."

§170-2 Purpose

A. The purpose of this Chapter is to: manage the trees within the public right-of-way, in parks, and on public property in the Village; assure the proper planting of new trees in these public spaces, maintain the health and of existing trees in these public spaces; aid in maintaining property values in the Village; implement the design and environmental goals of the Village Comprehensive Plan, and promote the general health and welfare of the Village residents. This Chapter will:

B. The Chapter will:

1. Create a Tree Committee to establish regulations governing the planting, maintenance, and removal of trees and shrubs in the public streets, right-of-ways, parks and other municipally owned or controlled property in the Village,
2. Preserve green foliage on Village streets and public property,
3. Replace trees that must be removed from public property because of disease, lack of treatment or interference with Village utilities.
4. Prevent interference with Village utility pipes, wires, sidewalks, or streets.

§170-3 Definitions

As used in this Chapter, the following terms shall have the meanings indicated:

Adjacent Property Owner – The person, firm, entity, or corporation owning property boarding a Village street. The adjacent property owner to a public tree shall be the owner of property located within the street right-of-way, on a perpendicular with the street line through the center of the tree four feet above the edge of pavement of a roadway.

Diameter Breast Height (DBH) – Tree trunk diameter measured in inches with a calipers at six inches from grade in the case of trees measuring four inches or less in diameter; and at a height of 4 1/2 feet above grade when tree trunk is larger than four inches.

Dripline – a vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Nuisance – Any thing or act that annoys or disturbs unreasonably, hurts a person's use of his or her property, or violates the public ,safety and welfare.

Park – Includes land designated as a park pursuant to New York State statutes as well as areas such as playgrounds, pools, rail trail, or other recreational facilities within the Village under the jurisdiction of the Village Board of Trustees pursuant to the Village of Springville Code.

Public Places – Includes all grounds owned, leased, or controlled by the Village for public use.

Public Tree – Any woody plant, located on municipal property or within the municipal right-of-way, having at least one well-defined trunk and at least 2 ½ inches in diameter measured at a height of six inches above the natural grade and having a clearly defined crown.

Ornamental Tree (Small Tree)– Small to medium trees that grow 15 feet to 20 feet in height at maturity, and that are planted for aesthetic purposes such as colorful flowers, interesting, or fall foliage.

Shade Trees (Large Trees)– A large tree growing over 40 feet in height at maturity, usually deciduous, that is planted to provide canopy cover shade.

Severe Root Pruning – cutting back the underground tree roots inside 1.5 times the dripline of the tree that will be detrimental to the life of the tree.

Street – A highway, road, avenue, lane, alley, culvert, embankment, or sidewalk which the public has a right to use.

Street Tree – Any tree, shrub, bush, or other woody vegetation on land lying between property lines on either side of all streets, avenues, or roads, such as the municipal right-of-way.

Topping – Severe cutting back of limbs to stubs larger than three inches in diameter within the tree crown to such degree so as to remove the normal canopy and disfigure the tree.

Treelawn – The green space adjacent to a street or highway, not covered by sidewalk or other paving, lying within the right-of-way of the street.

Tree Measurement – Also known as “diameter breast height.”

Tree Work – Includes but not limited to, pruning, shaping, thinning, cabling, stump removal, root pruning, topping, fertilizing, removing, planting, and spraying for insect and disease control, of a tree.

Utilities – Those entities that electricity, gas, sewer, water, telecommunication services to properties within the Village. The Village of Springville provides municipal water, sewer, and electric services to residents of the Village.

§ 170-4 Tree Committee Established

A. Establishment, Membership, Terms

1. The Village Board of Trustees shall create an advisory committee known as the “Village of Springville Tree Committee.” The Committee shall consist of the Administrator, the Code Enforcement Officer, the Superintendent of Public Works, a member of the Planning Board, and

a member of the Board of Trustees. Appointment to the Tree Committee are made at the annual Organizational Meeting and approval by the Board of Trustees.

2. A licensed arborist or tree nursery manager shall consult the Tree Committee members in the management of the Village community forest, development of the Tree Plan, and permitting of tree care.

3. If a Committee member does not serve the full term for reasons other than the expiration of the term, the Mayor shall appoint a successor to serve for the unexpired term.

6. If a Committee member misses three consecutive meetings, the position will be deemed vacant.

B. Tree Committee Duties

The Tree Committee shall have the following duties that include, but are not limited to:

1. The Tree Committee advises the Village Board of Trustees, the Planning Board, and the Department of Public Works by studying, investigating, developing and/or updating the Village's written plan for caring, preserving, pruning, topping, replanting, removing, or disposing of trees and shrubs in parks, along Village streets, and in other public areas.
2. The Tree Committee maintains reference materials relating to trees and shrubs.
3. The Tree Committee provides an inventory of the location of street trees and determining areas where such trees could exist but are absent.
4. The Tree Committee establishes a suggested species list for the Village and recommending to the Village the type and kind of trees to be planted upon Village property.
5. The Tree Committee identifies trees for immediate removal.
6. The Tree Committee provides a Long Range Tree Plan every five years for the Village relating to street trees and shrubs.
7. The Tree Committee provides the Village Board of Trustees with a yearly estimate and Tree Plan of cost of labor and nursery stock to be used. This estimate shall be presented annually to the Board of Trustees as part of its budget deliberations.

C. Meetings

1. The Committee shall meet a minimum of four times each year. The Committee may call additional meetings as needed.
2. Meetings of the Tree Committee shall be advertised and open to the public.

§170-5 Responsibility for Treelawns, Streets and Walks

A. The Village or its agent shall perform necessary maintenance to preserve and protect street trees in a safe and healthy condition, including trimming, spraying, fertilizing, watering, staking, topping, root pruning, mulching, treating for disease or injury, and removal if necessary.

B. The Village shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs within the lines of Village streets and public grounds as may be necessary to ensure public safety, assure safe public utilities, or preserve or enhance the symmetry and beauty of such public grounds. The Village shall provide prior notification to adjacent landowners of such actions.

C. The Village Tree Committee may recommend a tree or part of a tree be removed if the tree or tree part:

1. Poses a potential public safety risk or hazard; or
- 2, Causes an unsafe condition; or
3. By its nature, is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements; or
4. Is negatively affected with any injurious fungus, insect, or pest.

D. Adjacent property owners shall perform maintenance of the treelawn including mowing and raking.

E. No property owner shall be permitted to allow a tree, shrub, or other plant growing on his or her property to obstruct or interfere with the view of drivers of vehicles or pedestrians on the sidewalk to create a traffic hazard. If such tree, shrub, or other plant does overhang or does otherwise adversely affect any street, sidewalk, or right-of-way within the Village, the property owner shall at the owner's expense, prune the tree, shrub or plant so that it shall not obstruct the view of any street intersection or obstruct or hinder passage on any street or sidewalk. If an owner must trim a tree, shrub, or other plant, the owner must provide for a clear space of eight feet above the surface of the sidewalk and up to 14 feet above the surface of the street after consultation with a certified arborist.

F. If an obstruction persists, the Code Enforcement Officer shall mail a written notice to the property owner to prune or remove the tree, shrub, or plant within 10 days. If the owner fails to comply with the notice, the Village may undertake the necessary work and charge the cost for such work to the property owner. If such charge remains unpaid for 60 days, the expense shall be added to the next real estate tax bill of the property owner.

§ 170-6 Prohibited Actions

A. No person or utility shall plant, spray, fertilizer, treat, prune, remove, cut above ground, disturb the root system or otherwise disturb any public tree or shrub on any Village street, park, or public place without a permit.

B. Further, no person shall fasten or attach to any tree any sign, poster, bill, notice or advertisement of any kind.

C. No person or utility shall cause or permit any brine, oil, gasoline, liquid dye, or other substance deleterious to tree life to life, leak, pour, flow or drip on or into the soil about the base of a tree which could injure such tree.

D. No person shall fasten or cause to be fastened any animal to a tree in any street or public place or permit any animal owned by him or her in his or her charge to stand so near any such tree that the tree may be gnawed or otherwise injured by the animal.

E. No trees shall be planted or allowed to grow on private or public lands within the limits of, or which will interfere, any drainage, sewer, water, or utility easement.

§170-7 Private Planting and Maintenance On Village Property and Right-Of-Way

A. Application to plant.

No one, except the Village or its agents acting in the Village behalf, shall plant a tree or shrub upon Village property or upon a Village treelawn without first submitting an application to the Tree Committee on forms provided by the Committee.

B. Information Required.

Anyone submitting an application shall state the number of trees to be set out; the location; the species or variety of each tree to be planted; the method of planting; and any other information as the Tree Committee shall find reasonable necessary for its recommendation to the Code Enforcement Officer to issue the appropriate permit.

C. Removal, Replanting, Replacement.

No one except the Village or its agents acting on the Village behalf shall remove, replant, or replace a tree from Village property or the treelawn for any reason without first applying to the Tree Committee on forms provided by it and receiving a permit from the Code Enforcement Officer. Such replacement shall meet the standards of size, species, and placement as set by the Tree Committee according to specifications set forth by this Chapter in § 170-12.

D. Notice of Completion.

Notice of completion from the village or its agents shall be given by the to the Code Enforcement Officer so a final inspection may be made.

E. Costs

1. The costs initiated by the adjacent property owner for tree planting, tree removals, or tree replacements shall be borne by such adjacent property owner. The Tree Committee may suggest to the Village that the Village share in the expense of this work or may perform this work wholly at the Village's expense as long as such expenses are within budget limitations established annually by the Board of Trustees.

2. The costs for work performed by or for utilities shall be borne by the respective utility including the Village Electric Division.

§170-8 Removal of Dead and Diseased Trees from Private Property

Private property owners have the duty, at their own expense, to cut down and remove any trees upon their property which are dead, harbor insects or disease, or which are so damaged as to be a public nuisance and in danger of falling, thereby causing damage to person or property of others. The Village Tree Committee shall recommend to the Code Enforcement Officer to provide the

property owner with written notification that a tree or shrub should be removed for the reasons stated above. Owners shall, at their own expense, remove such trees. Owners shall have 15 days after the date of serve of the notice to inform the Code Officer as to when the tree shall be removed. Owners shall have no more than 30 days after informing the Code Enforcement Officer to remove such trees unless the Code Officer indicates otherwise in writing. If owners fail to comply with such provisions, the Village shall remove such trees and charge the cost of removal to the property owner upon notice. If the cost of the such removal remains unpaid for 60 days, the cost of removal shall be added to the next real estate tax bill of the property owner.

§170-9 Topping and Root Pruning Trees

It shall be unlawful for any person, firm, entity, corporation, or utility to top any street tree or shrub, or to engage in severe root pruning. Trees severely damaged by storms or certain trees under utility wires or other obstructions, where other pruning practices are impractical, may be exempted from this Chapter upon the recommendation of the Tree Committee.

§170-10 Trees Near Excavation or Construction

A. No person or utility shall excavate any ditch, tunnels or trenches, or lay any driye within the dripline of a public tree without first obtaining a permit from the Code Enforcement Officer.

B. No person or utility shall remove a tree or shrub from the treelawn for the purpose of construction or for any other reason without first filing an application and receiving a permit from the Code Enforcement Officer.

C. All trees on any street or other publicly owned property near any excavation or construction of any building, structure, or street work shall be guarded with a substantial fence, frame, or box not less than four feet high. Whenever possible, the diameter of such fence, frame or box should be at least one and one half times the dripline. At no time shall the fence, frame, or box extend beyond the sidewalk into the street, nor shall such fence, frame or box cause a hardship for those using the sidewalk.

D. When construction , excavation, and/or material deposits result in the destruction and/or removal of a street tree, the person or utility responsible for that damage shall replace the street tree with either a tree or trees of equivalent dollar value in the vicinity of the removed street tree.

§170-11 Interference with Tree Work

No one shall hinder, prevent, delay, or interfere with the Village or its agents, including the Tree Committee, or any of its assistants, or any contractors while engaged in carrying out the enforcement of this Chapter or duly adopted regulations.

§ 170-12 Specifications and Standards of Practice

A. The Village hereby adopts the Arboricultural Specifications and Standards of Practice of the International Society of Arboricultural as published under American National Standard for Tree Care Operations most recent edition (a copy of which is available for review).

B. All tree work done by or in the Village shall conform to these specifications and standards.

§ 170-13 Public Comment and Appeals

A. Any person, firm, entity or corporation may appeal to the Board of Trustees the recommendation of the Tree Committee or the decision of the Code Enforcement Officer in matters regarding the permitting of tree care, maintenance, removal, or replacement as provided for in this Chapter.

B. Any resident of the Village may comment on the recommendations of the Tree Plan presented to the Board of Trustees at a Board of Trustee Meeting.

C. Board of Trustee decisions regarding appeals of Permits and comments regarding the Tree Plan shall be made in accordance the provisions of this Chapter including §170-12

§170-14 Penalties for Offenses

A. Any person, firm, entity, or corporation violating or failing to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be fined no more than \$250 or may be imprisoned for a term not exceeding 15 days or both.

B. If a violation of a provision of this Chapter results in the loss of a tree on public space, then the person, firm, entity, or corporation violating this Chapter must replace the tree or trees with tree or trees of similar value in a vicinity near the violation as approved by the Tree Committee.

§ 170-15 Severability

If any sections, paragraph, sentence, clause, or phrase of this Chapter is found to be invalid by a Court of competent jurisdiction, such judgement shall not affect, impair, or invalidate the remaining portions of this chapter.

§ 170-16 When Effective

This Chapter shall become effective immediately upon filing with the New York State Secretary of State.

Administrator's Report

July 13, 2020

ATTACHMENT NO.

A3

AGENDA DATE

7/13/20

1. SEQR LL1 Of 2020 Chapter 170 Trees
2. Neg Deg LL1 of 2020 Chapter 170 Trees
3. Adopt/Table LL1 of 2020 Chapter 170 Trees
4. Appoint Acting Judge Jeffrey Markello Acting Justice till April 6, 2021.
5. Appoint Village Prosecutor – Paul Weiss till April 6, 2021.
6. Appoint Deputy Village Prosecutor – Yvonne Tripi till April 6, 2021.
7. Accept resignation of Joe Emerling as Planning Board Member effective July 1, 2020.
8. Accept resignation of Steve Bugary as Police Dispatcher PT effective June 26, 2020.
9. Authorize advertisement of Public Hearing on revisions to Chapter 193-5, 193-85, 193-87, 193-88 Water Dept Revisions to be held on Aug 17, 2020 at 7:01 pm. Additions and deletions are attached.
10. Approve two new fire dept members Joshua Owen from 62 Prospect Ave Springville and Gary Bunnell 125 North St Springville in the Springville Volunteer Fire Department.

Discussion items:

1. Please contact the office for payment arrangements on your electric account if you are unable to pay your bill in full each month.
2. Village Election date is September 15th. Applications for absentee ballot are online under forms or can be mailed to registered voter. Just call the office 592-4936 x1000.
3. Thursday's Downtown Concert Series to begin on July 16th 7pm-8:30 pm at Heritage Park. Wear your mask and maintain 6 foot separation.
4. Village financial audit week of July 27th.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Village of Springville			
Name of Action or Project: Local Law 1 of 2020 Chapter 170 Trees			
Project Location (describe, and attach a location map): Entire village			
Brief Description of Proposed Action: This code is an adaptation of a DEC recommendation. This revision replaces Chapter 170 Trees in its entirety, including Article I Tree Replacement and Article II Planting of Trees. This revision eliminates the request system whereby residents could request trees be removed and then replaced within the right-of-way or on private property. This revision protects our utility pipes and wires. The management of our community forest is entrusted to a Tree Committee, our CEO and our DPW Superintendent with the consultation of an arborist. This revision calls for an annual Tree Plan presented to the Board of Trustees at budget time. There is enough flexibility for the various streets and public spaces in Springville. It stops the haphazard approach to tree replacement which has led to complaints and ineffective use of public assets.			
Name of Applicant or Sponsor: Village of Springville		Telephone: 716-592-4936 E-Mail: lmelock@villageofspringvilleny.com	
Address: 5 W.Main St PO Box 17			
City/PO: Springville		State: NY	Zip Code: 14141
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

<p>5. Is the proposed action,</p> <p>a. A permitted use under the zoning regulations?</p> <p>b. Consistent with the adopted comprehensive plan?</p>	<p>NO</p> <input type="checkbox"/> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/> <input type="checkbox"/>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</p> <p>If Yes, identify: _____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</p> <p>b. Are public transportation services available at or near the site of the proposed action?</p> <p>c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?</p>	<p>NO</p> <input type="checkbox"/> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/> <input type="checkbox"/>	
<p>9. Does the proposed action meet or exceed the state energy code requirements?</p> <p>If the proposed action will exceed requirements, describe design features and technologies:</p> <p>_____</p> <p>_____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>10. Will the proposed action connect to an existing public/private water supply?</p> <p>If No, describe method for providing potable water: _____</p> <p>_____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>11. Will the proposed action connect to existing wastewater utilities?</p> <p>If No, describe method for providing wastewater treatment: _____</p> <p>_____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?</p> <p>b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?</p>	<p>NO</p> <input type="checkbox"/> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/> <input type="checkbox"/>	
<p>13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?</p> <p>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?</p> <p>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <input type="checkbox"/> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/> <input type="checkbox"/>	

Project: Local Law 1 of 2020 Chapter 170 Trees

Date: 07/13/2020

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

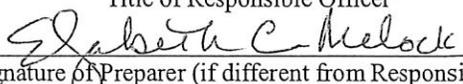
Project: Local Law 1 of 2020 Chp

Date: 07/13/2020

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

This is a local law change to the Tree code in the Village of Springville. The Village Board has determined that the impact will not be significant since this code change is adding a Tree Committee and procedures to address tree planting and removal.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Village of Springville <hr/> Name of Lead Agency	07/13/2020 <hr/> Date
William J Krebs <hr/> Print or Type Name of Responsible Officer in Lead Agency	Mayor <hr/> Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	 _____ Signature of Preparer (if different from Responsible Officer)

PRINT FORM

SPRINGVILLE CODE

193-5 Procedure for Inspection

C. The Village will make all reasonable attempts to bring water and sewer services to the Village Right of Way. If this is not possible, the property owner's contractor will be responsible for the laying of all piping and connection to the Village utility. The property owner or contractor shall adequately schedule work to all Village utility to inspect all connections.

193-85 Water pipe construction outside building

A. The Village Water Division will install up to a 2" inch service with a shut off valve at the street right of way line. Connection to this valve shall be made by the property owners' contractor at his/her expense in the presence of an inspector. Water shall not be turned on except by Village Water Division after meter is installed and inspected. Water taps in excess of 2 inches shall be performed by a contractor at owner's expense.

- (1) Taps over 2 inches, or any tap, that is installed by property owners contractor, is property owner's responsibility to maintain.

193-87 Water Taps

A. A separate water tap shall be required for each parcel that is supplied by water. No service line shall be connected to any adjacent parcel. Connecting of two or more service lines is prohibited.

193-88 Water Meters

A. Location

- 1) An individual meter shall be required for each premises.
- 2) Same
- 3) Any service line that extended more than 150 feet from street pavement edge to the building line shall have its water meter set in an approved Hot Box enclosure close to the curb stop at the right of way line.

E. Connection

- 1) Water tap connections, up to 2 inches, shall be made by the Village after prior approval by the Building Department and after payment of all fees.

- A) If Village is unable to do the water tap, the property owner and their contractor are responsible for tap installation cost and maintenance.

- (2) As a minimum condition of the above provision, the contractor shall not commence work until he has obtained all the insurance required herein and such insurance has been approved by the Village, nor shall the contractor allow any subcontractor to commence work on his subcontract until the contractor has either required each of his subcontractors to procure and to maintain similar insurance during the life of his subcontract or insured the activities of his subcontractors in his own policies. Certificates shall stipulate the above hold-harmless clause with requirement for notification.
- B. Certificates. The contractor shall furnish the Village with certificates showing the type, amount, class of operations covered, effective dates and dates of expiration of policies. Such certificates shall also contain substantially the following statement: "The insurance covered by this certificate will not be canceled or materially altered except after 30 days' written notice has been received by the Village."
- C. Compensation insurance. The contractor shall procure and shall maintain during the life of work hereunder workers' compensation insurance, as required by state law, for all of his employees to be engaged in work at the site of the project under contract.
- D. Contractor's liability and property damage insurance. The contractor shall procure and shall maintain during the life of work hereunder vehicle, bodily injury, property damage and general liability insurance.

§ 193-4 List of qualified contractors; compliance of work with regulations.

- A. A list of qualified contractors will be issued by the Village Clerk upon request.
- B. It is not the intent of these regulations to require a property owner to hire an outside contractor to work on his own property. However, before any connections can be made to any Village-owned utility, proof will be required that all work on private property meets the requirements of these regulations.
- C. Property owners are advised that one method to assure proof of compliance is to secure proper permits and do the work to the approval of the Superintendent of Public Works and/or Code Enforcement Officer, or designated representative. Construction without a permit is a violation of these regulations.
- D. Property owners are not permitted to do any work on Village property without first qualifying as a contractor as described under § 193-2D and E above.

§ 193-5 Procedure for inspection.

- A. The owner or his contractor shall be responsible for arranging to have an inspector present to properly inspect and approve the work; all work shall be left open for inspection. If trench failure occurs, the contractor will be required to remove any material to allow proper inspection. A trench shield or sheeting may be required to prevent trench failure or, as an option, the contractor may pay for continuous inspection. This amount shall be paid to the Village at the rate per hour, in addition to the regular fee, as set forth from time to time by resolution of the Board of Trustees.
- B. All work outlined herein shall be inspected by a Village inspector. Inspection will be made from 8:00 a.m. to 3:00 p.m., Monday through Friday. No Saturday, Sunday or holiday inspection will be made.
- C. The property owner will be responsible for laying all pipes, drains, etc., to the sanitary sewer main for any new connection. The Village will (at Village expense) be responsible for maintaining the connection to the Village system within the street right-of-way. The property owner or contractor shall adequately schedule work to allow Village utility work to be completed prior to the owner's contractor making connections.

Questions about eCode360? Municipal users Join us daily between 12pm and 1pm EDT to get

§ 193-85 Water pipe construction outside buildings.

- A. The Village Water Division will install (at Village expense) a shutoff valve up to two inches at the street right-of-way line. Connection to this valve shall be made by the property owner's contractor at his expense in the presence of the inspector. Water shall not be turned on except by the Village Water Division. Water taps in excess of two inches shall be performed by a contractor at the owner's expense.
- B. Water piping to single- and two-family dwellings shall be minimum three-fourths-inch Type K copper continuous to the meter set. Rigid materials, i.e., brass, may be used with prior approval.
- C. Industrial and commercial water piping shall be of a size approved by the Superintendent of Public Works or his assigned designee. Copper pipe or ductile iron Class 52 shall be used between the water main and the meter.
- D. No waterline and sewers are to be included in the same ditch. They must comply with the following:
 - (1) They will maintain 10 feet horizontal separation from the water main to any sewer.
 - (2) Residential service lines are not to be located under driveways.

§ 193-86 Water pipe construction within buildings.

The Village of Springville has adopted the New York State Uniform Fire Prevention and Building Code.^[1]

- A. The Village will furnish (at Village expense) a meter setting spud, to be installed by the property owner. Installation shall be such that a water meter can be installed by the Village (at Village expense) 18 inches above the finished floor, and six inches minimum from the wall, in an accessible location so that it can be readily read or shut off. Control valves installed at the inlets will be a flared connection, and outlets of the water meter shall be at least 10 inches of minimum Type L copper, and at least as large as the size of the supply piping of the water meter and shall not restrict the flow of water. All copper service line shall be anchored properly.
- B. All openings in a foundation wall or slab shall be sleeved or grouted with hydraulic cement. Sleeves shall be cut off flush with the wall. Where such openings are within 100 feet of a gas main or gas service pipe, they shall be made gastight. Sleeves shall be of adequate size to allow the sewer or water pipes to pass through without bending or friction. Grouted applications shall be watertight.

[1] *Editor's Note: See Ch. 73, Building Construction and Fire Prevention.*

§ 193-87 Water taps.

- A. A separate water tap shall be required for each building on any premises supplied with water. No service line shall be connected to any other building or premises on its own or adjacent parcel. Connecting of two or more service lines is prohibited.
- B. A water tap intended to replace an existing service line shall not be installed unless the existing tap is disconnected and sealed at the water main and thereafter inspected by the Department of Public Works. All replacement expenses shall be borne by the property owner.
- C. Where any existing water service line is abandoned or not used for one year, the service line shall be disconnected and sealed at the water main and thereafter inspected by the Department of Public Works. All expenses shall be borne by the property owner.
- D. The property owner shall be responsible for the maintenance and repair of all water connections, distribution lines and appurtenances from the curb stop to the meter. All expenses shall be borne by the property owner.

§ 193-88 Water meter.

- A. Location.

- (1) An individual meter shall be required for each premises and for each separate water tap to a premises.
- (2) All meters shall be set in a horizontal position and shall be accessible for inspection and reading.
- (3) Any service line that extends more than 150 feet from the street pavement edge to the building line shall have its water meter set in a heated enclosure close to the curb stop within the ROW.
- (4) All meters shall be protected against both freezing and hot water and steam.

B. Initial installation.

- (1) All water meters shall be provided to the property owner at the expense of the Village, and the meter shall be treated thereafter as a fixed appurtenance to the premises on which it is located.
- (2) The property owner shall be responsible for installation of all necessary piping, fittings, valves and pipe couplings required to receive the meter.
- (3) The meter shall, upon inspection, be sealed by the Department of Public Works and thereafter be under the exclusive control thereof. No sealed meter shall be removed without written permission of the Department of Public Works.
- (4) All meters shall be connected to the water service line by a shutoff valve on each side of the meter. No connection in any water service line shall be made between the water main and the meter.
- (5) The Village may order the installation of a device where it deems necessary.

C. Maintenance.

- (1) The property owner shall be responsible for damage to the meter due to freezing, steam, hot water, tampering or other external causes, i.e., improper grounding, or lightning.
- (2) Meter repair or replacement due to ordinary wear on residential meters shall be the responsibility of the Village. Repair or replacement due to ordinary wear on commercial meters will be the responsibility of the property owner.

D. Testing.

- (1) All meters shall be made accessible to the Village, at reasonable times, for the purpose of testing and repairs.
- (2) The Village reserves the right to remove and test any meter and to substitute another meter in its place.
- (3) In the case of a disputed water charge involving the accuracy of a meter, the meter shall be tested by the Village upon payment of a fee as established by resolution of the Board of Trustees. In the event that the meter is proved defective, the testing fee shall be waived, and the water charge shall be adjusted at the discretion of the Village Board. Any credit or additional charge for such adjustment shall be applied to the owner's next water bill.

E. Connection.

- (1) All water tap connections shall be made only by the Village after prior approval by the Building Department and after payment of all applicable fees as established by resolution of the Board of Trustees.
- (2) Any required street opening in connection with a water tap shall be made in compliance with the Streets and Sidewalks section of this Code.^[1]
^[1] *Editor's Note: See Ch. 150, Streets and Sidewalks.*
- (3) All new or replacement service lines shall be of Type K copper tubing, located a minimum of five feet below the established street grade level and on a direct line into the premises. Where compliance is determined to be impractical, the Department of Public Works may grant approval, in writing, for an alternate method of installation.
- (4) Any water service line shall be located wholly within its own trench.

F. Curb box/curb stop installation.

- (1) A separate curb box/stop shall be installed for each premises where the water service is to be individually metered.
- (2) In a residential district, installation shall be between the sidewalk and right-of-way. In a commercial district, it shall be located within the right-of-way at an easily accessible location. The top of the box shall be set even with the pavement and in every case flush with the surface of the existing grade.

VILLAGE OF SPRINGVILLE
DEPARTMENT OF PUBLIC WORKS
Duane Boberg
Superintendent of Public Works
Superintendent Report for July 13, 2020

ATTACHMENT NO. A4
AGENDA DATE 7/13/20

Reports:

Resolution/Recommendation: To make Alex Pefley a permanent employee retroactive to July 7th. Alex has finished his 6-month probationary period. He has performed all duties and jobs given to him exceptionally well. He has fit right in with the Streets Department. He has been and will be a great asset to our workforce.

Resolution, to award Jim Murphy Chevrolet, the bid for the New #53. A 4-door diesel pick-up with a utility box. They were low bidder at \$62,116.98 with no trade in. The cost of this vehicle will be off set by the sale of the old #53 to the Springville fire department.

LT. NICHOLAS K. BUDNEY
OFFICER IN CHARGE



ATTACHMENT NO. A5

AGENDA DATE 7/13/20

SPRINGVILLE POLICE DEPARTMENT

July 13, 2020

June 2020 SPD Report – 249 calls handled, 2792 miles patrolled, 58 patrol shifts/0 court shifts, which resulted in 134 summonses and 10 parking tickets being issued.

ECSO handled 315 calls during the month of June.

2020-2021 Grant Application for Police Traffic Services was successful – the Police Department was awarded \$5200.00 for increased patrols. These are federal funds administered by the state. Each year since 2017, the Village has increased this grant award from \$2400 to \$5200. This is a reimbursement grant.

The Walmart Foundation/Springville Walmart has once again awarded the Village Police Department a \$2500 grant to be used for the annual Shop with A Cop program. Thank You to the Springville Walmart for their commitment to helping area youth with the approval of this grant.

PATROL OFFICE
65 FRANKLIN STREET
PO BOX 17
SPRINGVILLE, NEW YORK 14141

nbudney@villageofspringvilleny.com

ADMINISTRATIVE OFFICE
5 WEST MAIN STREET
PO BOX 17
SPRINGVILLE, NEW YORK 14141
(716) 592-4936 FAX (716) 592-7088

ATTACHMENT NO.

A6

AGENDA DATE

7/13/20



SPRINGVILLE FIRE CONTROL REPORT **JUNE 2020**

1. PERSONAL

- A. ERIN PARISH STARTED TRAINING 6/1/2020 AND ELIAS REDEYE WILL START TRAINING 7/5/2020.
- B. OPEN POSITION FOR 8AM-4PM.
- C. ALL DISPATCHERS ARE WEARING MASK AND EXTRA CLEANING EVERY SHIFT.
- D. CONTROL CENTER STILL ON LOCK DOWN DO TO THE PANDEMIC ONLY DISPATCHERS THAT ARE SCHEDULED TO WORK ARE ALLOWED ADMITTENCE.

2. EQUIPMENT

- A. ALL EQUIPMENT OPERATIONAL
- B. COMPUTERS HAVE BEEN UPGRADED FROM WINDOWS 7 TO WINDOWS 10.
- C. MERCY FLIGHT HAS CHANGE THERE ZOLL TRACKING TO FLIGHT VECTOR AS OF 7/1/2020
- D. NO LAPTOP FROM DEPARTMENT OF HOMELAND SECURITY AS OF YET, STILL WAITING.

3. MONTHLY CALL VOLUME REPORT

- A. MONTHLY CALL VOLUME REPORT SUBMITTED

CALL VOLUME MONTH OF JUNE

SPRINGVILLE-

31-EMS
13-FIRES
4-MVA
0-ASST
0-OTHER

TOTAL 48 CALLS

EAST CONCORD-

2- EMS
2- FIRES
3- MVA
0-ASST
1-OTHER

TOTAL 8 CALLS

MORTONS CORNERS-

3- EMS
0- FIRES
1- MVA
0-ASST
1- OTHER

TOTAL 5 CALLS

MERCY EMS-

108-EMS

0-FIRES

11- MVA

2-ASST

69- OTHER

TOTAL 190 CALLS

TOTAL OF 251 CALLS UNDER SPRINGVILLE FIRE CONTROL

RESPECTIVELY SUBMITTED,
RICK JOHNSON SR.DISPATCHER

15ft
North of
WWI stone

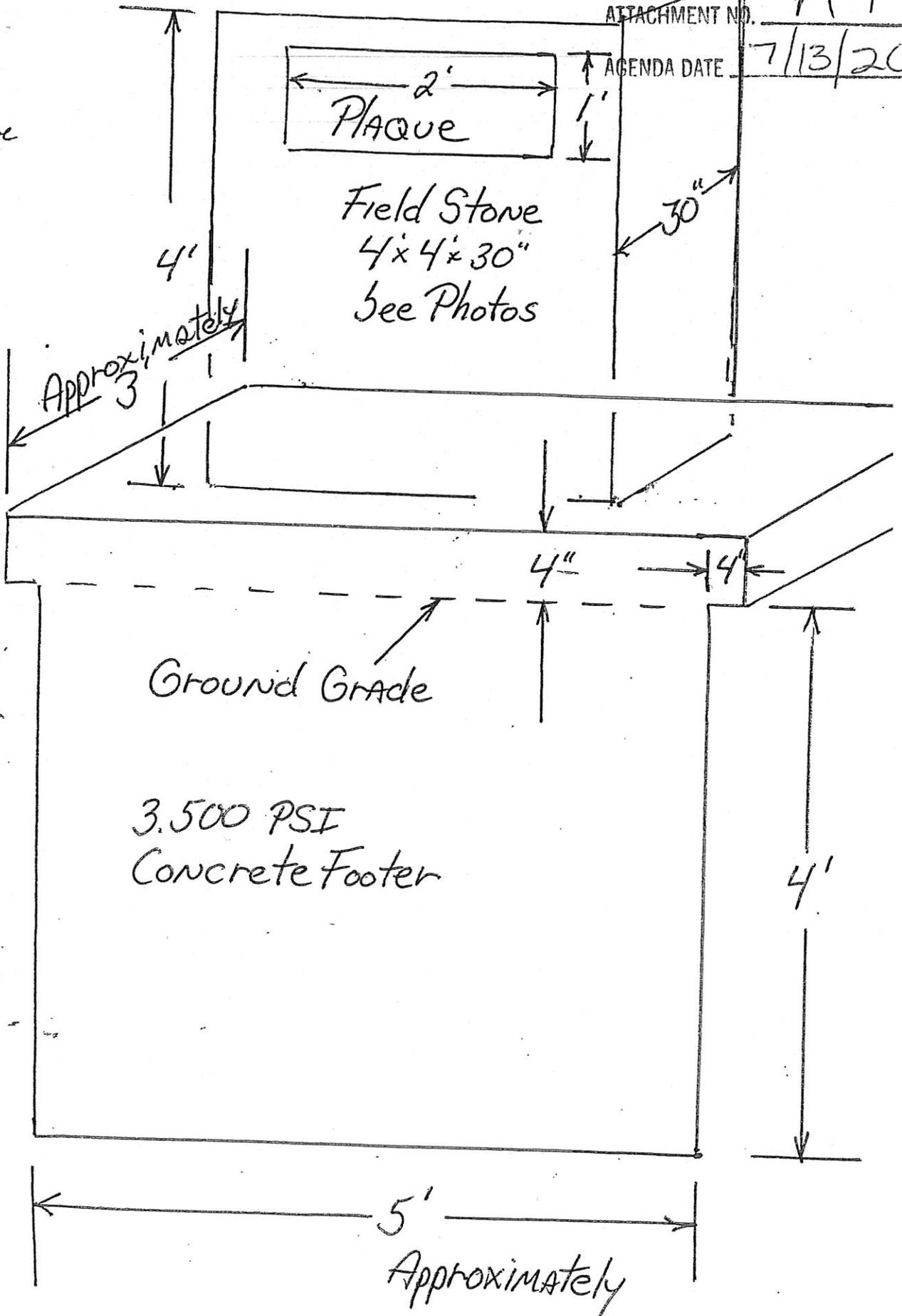
5000 lbs.

ATTACHMENT NO.

A7

AGENDA DATE

7/13/20



Approximately
3

4'

2'
Plaque

1"

Field Stone
4x4x30"
See Photos

30"

4"

4"

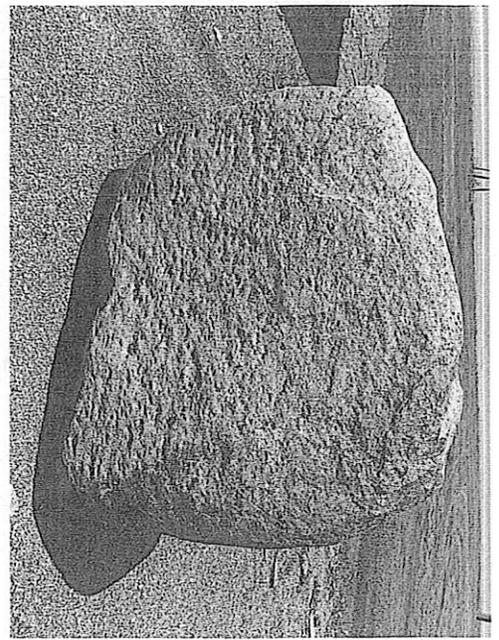
Ground Grade

3,500 PSI
Concrete Footer

4'

5'

Approximately



**Dedicated to honor those from
our township who fought and perished
in the War of 1812 -1814**

VILLAGE OF
SPRINGVILLE
July 13, 2020
Page 2
PERMITS AND APPLICATIONS

PROJECT: 0000009171 - RESIDENTIAL HOME/STRUCTURAL TYPE: RESIDENTIAL
PROPERTY: 449 MILL ST HOME/STRUCT
ISSUED DATE: 6/16/2020
ISSUED TO: PEOPLE INC.
1219 NORTH FOREST AVE
WILLIAMSVILLE, NY 14221

PROJECT: 0000009172 - DRIVEWAY TYPE: DRIVEWAY
PROPERTY: 449 MILL ST
ISSUED DATE: 6/16/2020
ISSUED TO: PEOPLE INC.
1219 NORTH FOREST AVE
WILLIAMSVILLE, NY 14221

PROJECT: 0000009173 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 449 MILL ST
ISSUED DATE: 6/16/2020
ISSUED TO: PEOPLE INC.
1219 NORTH FOREST AVE
WILLIAMSVILLE, NY 14221

PROJECT: 0000009174 - UTILITY CHANGES-WATER TAP TYPE: PLUMBING
PROPERTY: 449 MILL ST
ISSUED DATE: 6/16/2020
ISSUED TO: PEOPLE INC.
1219 NORTH FOREST AVE
WILLIAMSVILLE, NY 14221

PROJECT: 0000009175 - UTILITY CHANGES-SEWER TAP TYPE: PLUMBING
PROPERTY: 449 MILL ST
ISSUED DATE: 6/16/2020
ISSUED TO: PEOPLE INC.
1219 NORTH FOREST AVE
WILLIAMSVILLE, NY 14221

PROJECT: 0000009176 - SHEDS, UP TO 144 SQ.FT. TYPE: SHEDS
PROPERTY: 194 WAVERLY ST
ISSUED DATE: 6/16/2020
ISSUED TO: STOWELL, JOSEPH
194 WAVERLY ST
SPRINGVILLE, NY 14141

PROJECT: 0000009177 - AREA VARIANCE FOR SIGNAGE TYPE: USE ZONING REVIEW
PROPERTY: 225 S CASCADE DR
ISSUED DATE: 6/17/2020
ISSUED TO: WELL NOW URGENT CARE
225 S CASCADE DR
SPRINGVILLE, NY 14141

VILLAGE OF
SPRINGVILLE
July 13, 2020
Page 3
PERMITS AND APPLICATIONS

PROJECT: 0000009178 - FENCES
PROPERTY: 362 E MAIN ST
ISSUED DATE: 6/17/2020
ISSUED TO: ANDERSON, SHARON& EVELYN
362 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009179 - UTILITY CHANGES-WATER
PROPERTY: 182 E MAIN ST
ISSUED DATE: 6/17/2020
ISSUED TO: VACINEK HEATING & ROOFING, INC
8038 BOSTON STATE ROAD
HAMBURG, NY 14075

TYPE: PLUMBING

PROJECT: 0000009180 - ROOFING
PROPERTY: 153 W MAIN ST
ISSUED DATE: 6/17/2020
CONTRACTOR: 0000001247 GRAVES BROS INC
ISSUED TO: ROGERS, BOB
755 N WINTON ROAD
ROCHESTER, NY 14609

TYPE: ROOF

PROJECT: 0000009181 - DRIVEWAY
PROPERTY: 525 NORTH ST
ISSUED DATE: 6/17/2020
ISSUED TO: GAMBINO, DOMINIC
525 NORTH ST
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

PROJECT: 0000009182 - DRIVEWAY
PROPERTY: 185 N CENTRAL AVE
ISSUED DATE: 6/17/2020
ISSUED TO: KREZMIEN, MARK
185 N. CENTRAL AVE.
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

PROJECT: 0000009183 - NONRES NONSTRUCTURAL
PROPERTY: 231 S CASCADE DR S 107
ISSUED DATE: 6/19/2020
ISSUED TO: BURGIO CAMPOFELICE INC
2721 TRANSIT ROAD, SUITE 114
ELMA, NY 14059-0000

TYPE: NONRES NONSTRUCTURAL

PROJECT: 0000009184 - SWIMMING POOLS
PROPERTY: 93 CATTARAUGUS ST
ISSUED DATE: 6/19/2020
ISSUED TO: BEYER, ANDREW H
P.O. BOX 42
93 CATTARAUGUS ST.
SPRINGVILLE, NY 14141

TYPE: SWIMMING POOLS

VILLAGE OF
SPRINGVILLE
July 13, 2020
Page 4
PERMITS AND APPLICATIONS

PROJECT: 0000009185 - RESIDENTIAL ALTERATION
PROPERTY: 20 RACHEL LN
ISSUED DATE: 6/22/2020
ISSUED TO: JOZWIAK, JAMES
PO BOX 115
SPRINGVILLE, NY 14141

TYPE: RESIDENTIAL
ALTERATION

PROJECT: 0000009186 - UTILITY CHANGES-WATER
PROPERTY: 54 CAROLINA ST
ISSUED DATE: 6/22/2020
ISSUED TO: TOWNSEND, STEVEN
PO BOX 472
SPRINGVILLE, NY 14141

TYPE: PLUMBING

PROJECT: 0000009187 - FENCES
PROPERTY: 83 S CENTRAL AVE
ISSUED DATE: 6/23/2020
ISSUED TO: O'CONNELL, CARRIE
83 S CENTRAL AVE
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009188 - VIOLATION-GARBAGE
PROPERTY: 16 S BUFFALO ST
ISSUED DATE: 6/24/2020
ISSUED TO: WRAY, TERRY
16 S BUFFALO ST
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000009189 - VIOLATION-VEHICLE
PROPERTY: 103 WOODWARD AVE
ISSUED DATE: 6/24/2020
ISSUED TO: S & P PROPERTY MANAGEMENT
14011 HOFFMAN RD
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000009190 - FENCES
PROPERTY: 75 ELLIS AVE
ISSUED DATE: 6/24/2020
ISSUED TO: BEYEA, ASHLEY
75 ELLIS AVE
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009191 - VIOLATION
PROPERTY: 54 ALBRO AVE
ISSUED DATE: 6/24/2020
ISSUED TO: SMITH, WAYNE JR
54 ALBRO AVE
SPRINGVILLE, NY 14141

TYPE: VIOLATION

VILLAGE OF
SPRINGVILLE
July 13, 2020
Page 5
PERMITS AND APPLICATIONS

PROJECT: 0000009192 - DECKS
PROPERTY: 57 NEWMAN ST
ISSUED DATE: 6/25/2020
ISSUED TO: DASH, ALAN
57 NEWMAN ST
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009193 - ROOFING
PROPERTY: 445 W MAIN ST
ISSUED DATE: 6/25/2020
ISSUED TO: HERRINGTON, JOHN
445 W. MAIN ST.
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000009194 - DECKS
PROPERTY: 89 N CENTRAL AVE
ISSUED DATE: 6/26/2020
ISSUED TO: CROW TOP ENTERPRISE
90 NORTH BUFFALO ST-UPPER
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009195 - ROOFING
PROPERTY: 432 FRANKLIN ST
ISSUED DATE: 6/26/2020
ISSUED TO: SCHINDLER, MELISSA
432 FRANKLIN ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000009196 - ROOFING
PROPERTY: 440 FRANKLIN ST
ISSUED DATE: 6/29/2020
ISSUED TO: MAPLE GUY CONSTRUCTION
504 PLEASANT AVE
HAMBURG, NY 14075

TYPE: ROOF

PROJECT: 0000009197 - SWIMMING POOLS
PROPERTY: 81 CHILDS ST UPR
ISSUED DATE: 6/30/2020
ISSUED TO: LATIMORE, AMY
81 CHILDS ST
SPRINGVILLE, NY 14141

TYPE: SWIMMING POOLS

PROJECT: 0000009198 - DRIVEWAY
PROPERTY: 103 SMITH ST
ISSUED DATE: 6/30/2020
ISSUED TO: SCHUNK, MARY
103 SMITH
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

VILLAGE OF
SPRINGVILLE
July 13, 2020
Page 6
PERMITS AND APPLICATIONS

PROJECT: 0000009199 - GARAGE SALE
PROPERTY: 322 W MAIN ST
ISSUED DATE: 6/30/2020
ISSUED TO: ELMORE, MARTY
322 W MAIN ST
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000009200 - ACCESSORY BUILDING
PROPERTY: 311 ELM ST
ISSUED DATE: 7/01/2020
ISSUED TO: HOWIE, MICHAEL
PO BOX 183
SPRINGVILLE, NY 14141

TYPE: ACCESSORY BUILDINGS

PROJECT: 0000009201 - UTILITY CHANGES-ELECTRIC
PROPERTY: 21 HILLTOP DR
ISSUED DATE: 7/02/2020
ISSUED TO: WERONSKI, TOM
11559 PRATHAM ROAD
E CONCORD, NY 14055

TYPE: ELECTRIC

PROJECT: 0000009202 - DECKS
PROPERTY: 309 E MAIN ST
ISSUED DATE: 7/06/2020
ISSUED TO: CORDARO, KEITH
309 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: DECKS

