

VILLAGE OF SPRINGVILLE
2017 MINUTES

February 21, 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. Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul D. Weiss
Officer in Charge	Nicholas Budney
Building Inspector/ Code Enforcement	Michael Kaleta
Deputy Clerk	Holly Murtiff
Absent	Terry W. Skelton, Trustee Kenneth W. Kostowniak, Superintendent of Public Works David Klenk, Fire Chief
Also Attending	Colleen Mahoney, Springville Journal Derek Otto, Springville Times Seth Wochensky

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

1. Minutes Minutes of the Regular Meeting of February 6, 2017 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Moriarty voting yes, none opposed.

Minutes of the Executive Session of February 6, 2017 were approved as written by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin and Moriarty voting yes, none opposed.

PUBLIC HEARING

2. LL 2017-3 Mayor Krebs opened the duly advertised public hearing regarding LL 2017-3 which is Tax Cap the proposal of a Local Law authorizing a property tax levy in excess of the limit established Override which is currently set at 1.022%. After discussion, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Moriarty voting yes, none opposed to close the Public Hearing.

PUBLIC COMMENT

Seth Wochensky, 30 S. Central Ave., addressed the Board on the following topics.

- Springville Center for the Arts renovation project update.

- Agenda, Consent Agenda and Minute suggestions for the Village of Springville website.
- 44A tax abatement for developing projects.

There being no further discussion Mayor Krebs closed the Public Comment period.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

3. LL 2017-3 Following the public hearing earlier in this meeting, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Wikman, Chamberlin and Moriarty voting yes, none opposed to adopt Local Law 2017-3 shown below.

Local Law 2017-3
Village of Springville, County of Erie

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Springville to adopt a budget for the fiscal year commencing June 1, 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Springville, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

4. Police Retirement Resolution After explanation by Administrator Melock, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Moriarty voting yes, none opposed approving the below resolution.

Resolution providing Section 384-d (20-year retirement plan for police officers)

BE IT RESOLVED: that the Board of Trustees of the Village of Springville does hereby elect to provide the benefits of Section 384-d of the Retirement and Social Security Law, as presently or hereafter amended, for any member who duly elects to enroll in this plan.

BE IT FURTHER RESOLVED: that the effective date of such shall be the 22nd day of February 2017.

Attorney Weiss advised Administrator Melock to notify all the officers affected by this new plan.

5. 2017-2020 Union Contract After explanation by Administrator Melock and discussion among the Board, motion was by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Moriarty accepting the 2017-2020 Union Contract as presented to them.
6. Water/Sewer Increases At this time Administrator Melock announced to the Board that she has been working on proposed increases in the Water, Sewer and Meter Charge (debt) charges. Administrator Melock explained her reasons for proposed increases which are outlined below;

Water base charge	currently \$18.00	proposed \$19.00
Water per thousand gallons	currently \$ 3.00	proposed \$ 3.50

Sewer base charge	currently \$16.00	proposed \$18.00
Sewer per thousand gallons	currently \$ 3.00	proposed \$ 3.25

Meter charge (debt)	currently \$10.00	proposed \$ 12.00
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These changes are proposed for the April 1st 2017 bills. This matter will be taken under consideration by the Board and revisited at the March 6th, 2017 meeting.

SUPERINTENDENT REPORT

7. Electric Division Surplus Items After explanation by Superintendent Kostowniak, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Moriarty voting yes, none opposed to the following items being declared surplus or retired and disposed of by on-line auction, recycling or dropped at a hazardous waste facility:
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| 13ea. 250watt metal halide light top | 20ea. 250watt metal halide light globes w/top |
| 7ea. 250watt metal halide light globe and ballast assy | 8ea. 250watt metal halide base w/ballast assy |
| 1ea. 250 Base | 9ea. Old style eye guards |
| 17ea. #2 preformed service grips – part #1717 | 100ea. 1/0 preformed service grips part #1719 |
| 32ea. 70 watt metal halide lamps | 29ea. 250 watt mercury lamps |
| 4ea. 70 high pressure sodium lamps | 9ea. 50 watt high pressure sodium lamps |
| 6ea. 400 watt mercury lamps | 5ea. 250 watt metal halide lamps |
| 9ea. 70 watt mogul base multi vapor lamps | 1ea. 70 watt yard blaster fixture |
| 1ea. 150 watt metal halide cobra head | 89ea. #6 parallel grove clamps |
| 13ea. cobra head glass lenses | |
8. East Hill Run Resolution Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin and Moriarty voting yes, none opposed to approving the below resolution.

Here Be It Resolved that B& B Homes has constructed approximately 400' of public roadway from the terminus of East Hill Run, and has been constructed to meet Village requirements. The road extension is dedicated to the Village of Springville and included into the existing East Hill Run, and will be maintained by the Village of Springville.

Taken from Deed - Liber 11079 Page 4041 - "*The rights of the Village pursuant to this easement shall automatically terminate upon the completion of the last phase of the East Hill Estates Subdivision and the Village's acceptance of title to and dedication of the aforesaid East Hill Run continuation as a public street as shown on said subdivision map filed in the Erie County Clerk's office under map Cover no.2552.*"

9. Heritage Park Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Change Order Trustees Chamberlin, Wikman and Moriarty voting yes, none opposed to approving the below change order.

Additional costs were incurred due to the additional road reconstruction change order. The Change order was based on engineer's *estimate*, and during excavation work limits had to be extended, resulting in additional quantities. Also, Village electric division Leadman requested we put parking lot lights on park circuit with lighted bollards. Additional trenching, backfilling and conduit were needed. Turf establishment quantities increased from unsuitable material that was stripped from the site that could not be used. Water Division Leadman requested additional service connections and curb boxes to aid winterizing park restroom, fountain and irrigation hose bibs. Change order also includes credits to the Village of Springville for Gazebo, benches, ADA ramp for the Gazebo, and compost material not used. Change order is a decrease in contract amount of \$8,270.75.

At this time Superintendent Kostowniak updated the Board on the following;

- 65 Franklin Street renovation project
- NYDEC Urban Forestry Grant

POLICE DEPARTMENT

Officer in Charge Budney had nothing to report tonight but took a moment to discuss the STOP DWI meeting.

FIRE REPORT

January 2017 Springville Fire Control Report received and filed.

BUILDING INSPECTOR/CEO

BI/CEO Kaleta discussed with the Board private property parking restrictions. After the discussion it was agreed the BI/CEO Kaleta and Administrator Melock will work together on forming a law for this matter.

CONTROL CENTER

There was no Control Center report this evening.

OLD BUSINESS

There was no Old Business to discuss this evening.

NEW BUSINESS

There was no new business to discuss this evening.

PROJECT: 000008016 - VIOLATION-COUCH AT CURB
PROPERTY: 125 WOODWARD AVE LWR
ISSUED DATE: 2/09/2017
ISSUED TO: ARMES, DENNIS
P.O. BOX 452
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 000008017 - ACCESSORY BUILDING
PROPERTY: 21 WOODWARD AVE
ISSUED DATE: 2/13/2017
ISSUED TO: KWIATKOWSKI, PATRICK
25 ARGUS DRIVE
DEPEW, NY 14043

TYPE: ACCESSORY
BUILDINGS

PROJECT: 000008018 - UTILITY CHANGES-PLUMBING
PROPERTY: 42 N CENTRAL AVE UPR
ISSUED DATE: 2/10/2017
ISSUED TO: FERGUSON, MARK
PO BOX 302
SPRINGVILLE, NY 14141

TYPE: PLUMBING

PROJECT: 000008019 - UTILITY CHANGES
PROPERTY: 38 ELK ST
ISSUED DATE: 2/14/2017
ISSUED TO: DONAHUE, JONATHAN
JEN CO CONSTRUCTION
38 ELK ST
SPRINGVILLE, NY 14141

TYPE: UTILITY
CHANGES

TRUSTEE NOTES & PROJECT REPORTS

Trustee Chamberlin had nothing to report this evening.
Trustee Wikman had nothing to report this evening.
Trustee Moriarty had nothing to report this evening

Mayor Krebs commented on the following;

- Thank you to Administrator Melock and Chief Union Steward Duane Boberg for settling the Union Contract so quickly and smoothly.
- Thank you to Officer in Charge Nick Budney for alerting the Village to the retirement issue for our police officers.
- Update on the NYCOM meeting that he attended recently in Albany with Administrator Melock.

10. Executive Session Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Moriarty voting yes, none opposed to adjourn to Executive Session to discuss contract matters at 8:02 pm.
11. Adjourn Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Moriarty voting yes, none opposed to adjourn the Regular Session at 8:42 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk