

VILLAGE OF SPRINGVILLE

2018 MINUTES

September 10, 2018

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 Chamberlin Kim Pazzuti Elise Rose Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Superintendent of Public Works	Kenneth Kostowniak
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Police Officer in Charge	Nicholas Budney
Fire Chief	David Klenk
Deputy Clerk	Holly Murtiff
Also Attending	Robin Tyler Dylan Wheeler
Nicole Cranston	Jake Cranston
Linda Miller	David Miller
Scott Bacon	Colleen Mahoney, Springville Journal Rich Place, Springville Times

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

1. Minutes Minutes of the Regular Meeting of August 13, 2018 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Rose and Pazzuti voting yes, none opposed.

Minutes of the Executive Session of August 13, 2018 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried Mayor Krebs, Trustees Chamberlin, Wikman Rose and Pazzuti, voting yes, none opposed.

FIRE REPORT

In order for Fire Chief Klenk to attend the department meeting his report was given out of meeting order at this time.

Chief Klenk reported on the following;

- Calls
- Equipment testing/repairs
- Events

PUBLIC HEARING

2. 2019 CDBG Application Mayor Krebs opened the public hearing regarding the 2019 Community Development Block Grant application. After discussion and there being no comment from those attending the meeting, Mayor Krebs closed the public hearing.

Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to approving the below the 2019 CDBG application for the projects listed below.

1. New well drilled (#1)
2. Waterline replacement along Church Street (1800 feet)
3. Rural Transit service

3. LL 2018-3 Mayor Krebs opened the public hearing regarding changes to Chapter 110 – Licenses and Permits.

At this time the following people spoke to LL 2018-3.

Jake Cranston, 127 Maple Ave, Springville, owner of Jake and the Fatman Catering.

Robin Tyler, 182 E. Main St., Springville, owner of Moocheesy food truck.

Dylan Wheeler, 78 Cattaraugus St., Springville, owner of Dilly Dally’s store.

At this time motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustee Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to closing the public hearing.

At this time Mayor Krebs and those attending discussed the proposed changes to Chapter 110. Some of the topics discussed were the following;

- Food trucks utilizing municipal parking lots
- 200 ft. radius proposal being reduced to 100 ft.
- Fee (\$150 per year vs. \$50 event per day)
- 100 ft. distance from intersections being reduced to 40 ft.
- Veteran’s exemption from the application fee

After discussion the matter will be reviewed further and will be readdressed during Old Business at the October 1, 2018 Board meeting.

PUBLIC COMMENT

There was no public comment this evening.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

4. Legal Services After explanation from Administrator Melock, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Rose and Pazzuti voting yes, none opposed to Authorize Village Attorney to defend Article 7 Tax Challenge for 252 S. Cascade at the rate of \$200 per hour retroactively to August 16, 2018.

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5. JCAP Grant Application Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to approve the below JCAP grant application and authorize Mayor Krebs to sign the application. The grant will not exceed \$30,000.

**Springville Village Board Resolution
In Support of
The Springville Justice Court's Grant Application**

At the regular meeting of the Board of Trustees of the Village of Springville ("the Board"), Erie County, New York, held on September 10, 2018,

A RESOLUTION was submitted by the Springville Justice Court, requesting the support of the Board in its application for a grant through the Justice Court Assistance Program ("JCAP").

WHEREAS, JCAP makes funds available on an annual basis to assist Town and Village courts for the implementation of security enhancements, courtroom renovations and improvements, etc.

WHEREAS, the Springville Justice Court would like to apply for a grant to fund items that would Enhance the courtroom's usefulness and appearance.

WHEREAS, any items purchases would be covered wholly by the grant funds. Further, should the grant be denied, said items would not be purchases unless other funding was first secured.

THEREFORE, BE IT HEREBY PROCLAIMED, that the Board of Trustees of the Village of Springville is hereby resolved to support the application for a Justice Court Assistance Program Grant by the Springville Justice Court for the purposes so stated.

6. Letter of Intent Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Chamberlin, Rose, Pazzuti and Wikman voting yes, none opposed to approving a letter of intent with artist, Tim Hare, to be sent with the Arts Services Initiative of Western NY Inc. grant application.
7. Sculpture Project Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Chamberlin, Rose, Pazzuti and Wikman voting yes, none opposed to authorizing the filing of a grant application to the Arts Services Initiative of Western New York Inc. in Community Arts for a sculpture in Heritage Park. Cost to the artist not to exceed \$8,500. Cost of the entire project not to exceed \$13,500 with the village providing in kind support for installation. This project will follow whatever arts policy is adopted by the Board.
8. Budget Modification Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to approving modifying the budget due to an increase in legal fees for current lawsuits. The modification will increase Law Office Contractual account 1420-0400-001 by \$30,000 and decrease Contingent Account 1990-0400-001 by \$30,000.

SUPERINTENDENT REPORT

9. Manhole Rehab Award Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Rose and Wikman voting yes, none opposed to award the bid for the sanitary sewer manhole rehabilitation in the amount of \$98,965 base bid & Item 1 manhole steps \$500 per manhole from a sealed bid opening on September 7, 2018 at 5 W. Main St. to United Survey Inc. There was one other bid which was withdrawn after the opening.

10. Manhole Rehab Agreement Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Rose and Wikman voting yes, none opposed to authorizing Mayor Krebs to sign an agreement with United Survey, Inc. to perform the Manhole rehabilitation work as per the awarded bid.
11. United Survey Change Order Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to authorizing a change order with United Survey in the amount of \$4,500 to perform additional cleaning, CCTV and lining of Spas Drive sanitary sewer.
12. Trickling Filter Award Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to authorizing Mayor Krebs to sign an agreement with Koester Associates to perform trickling filter replacement work as per the awarded bid.

POLICE DEPARTMENT

Officer in Charge Budney reported on the following;

- SPD calls for August 2018
- ECSO calls for August 2018
- 17th anniversary of the terrorist attack on 9/11

BUILDING INSPECTOR/CEO

BI/CEO Kaleta had no report this evening.

CONTROL CENTER

August 2018 report has been received and filed.

OLD BUSINESS

There was no Old Business to discuss this evening.

NEW BUSINESS

13. Viable Agricultural Lands Public Notice Mayor Krebs read the following public notice.

PUBLIC NOTICE

30-DAY PERIOD FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO EXISTING AGRICULTURAL DISTRICTS

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

CONTACT:

Elias Reden, Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-1911
Fax: (716) 858-7248
Email: agriculture@erie.gov

14. Public Art Policy Proposal At this time Mayor Krebs addressed the proposed public art policy which he previously distributed Trustees. After discussion Mayor Krebs announced that he will revised certain points of the proposed policy and then send it back to the Trustees for their review. Mayor Krebs asked all the Trustees to please respond to his inquiries for feedback on this and all other matters.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstract #69 through #89 total of \$617,135.39 of 2018-2019 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, Rose and Pazzuti voting yes, none opposed.

CONSENT AGENDA

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

Approve Planning Board meeting minutes of August 14, 2018.

Accept Zoning Board meeting minutes of August 15, 2018.

PROJECT: 0000008566 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 14068 MILL ST
ISSUED DATE: 8/08/
ISSUED TO: KLIMA ELECTRIC
8341 MERRILL PLACE
EDEN, NY 14057

PROJECT: 0000008567 - NONRES NONSTRUCTURAL TYPE: NONRES
PROPERTY: 603 NORTH ST NONSTRUCTURAL
ISSUED DATE: 8/09/2018
ISSUED TO: NORTH ST SUBSTATION
603 NORTH ST
SPRINGVILLE, NY 14141

PROJECT: 0000008568 - UTILITY CHANGES-ELECTRIC
PROPERTY: 690 FRANKLIN ST
ISSUED DATE: 8/09/2018
ISSUED TO: HORTON, JONATHAN
P.O. BOX 198
SPRINGVILLE, NY 14141

TYPE: UTILITY
CHANGES

PROJECT: 0000008569 - ROOFING
PROPERTY: 391 MILL ST
ISSUED DATE: 8/09/2018
ISSUED TO: MANFRE, DARLENE
391 MILL ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008570 - ROOFING
PROPERTY: 326 E MAIN ST
ISSUED DATE: 8/10/2018
ISSUED TO: RICHERT, GEORGE
326 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008571 - ROOFING
PROPERTY: 102 ELM ST
ISSUED DATE: 8/13/2018
ISSUED TO: LERMINIAUX, CAROL
84 S EDGEWOOD DRIVE
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008572 - GARAGE SALE
PROPERTY: 490 FRANKLIN ST
ISSUED DATE: 8/13/2018
ISSUED TO: TOBER, RUDOLF
490 FRANKLIN ST.
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000008573 - UTILITY CHANGES-PLUMBING
PROPERTY: 34 BARNSTEAD HM
ISSUED DATE: 8/15/2018
ISSUED TO: SHMO
8912 HEBDON RD
WEST VALLEY, NY 14171

TYPE: PLUMBING

PROJECT: 0000008574 - DRIVEWAY
PROPERTY: 22 S BUFFALO ST
ISSUED DATE: 8/15/2018
ISSUED TO: ZIARNOWSKI, PAUL
FRED RODEMS/PAUL ZIARNOWSKI
22 S BUFFALO ST
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

PROJECT: 0000008575 - GARAGE SALE
PROPERTY: 24 OHIO ST
ISSUED DATE: 8/15/2018
ISSUED TO: HUFF, NATALIE
24 OHIO ST
SPRINGVILLE,, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000008576 - LICENSES
PROPERTY: 405 S CASCADE DR
ISSUED DATE: 8/15/2018
ISSUED TO: BBQ AND BLUES FESTIVAL
405 S. CASCADE DR
SPRINGVILLE, NY 14141

TYPE: LICENSES

PROJECT: 0000008577 - ACCESSORY BUILDING
PROPERTY: 44 WOODLAND DR
ISSUED DATE: 8/16/2018
ISSUED TO: MACLEOD, JOHN
44 WOODLAND DR.
SPRINGVILLE, NY 14141

TYPE: ACCESSORY BUILDINGS

PROJECT: 0000008578 - DECKS
PROPERTY: 52 SPAS DR
ISSUED DATE: 8/16/2018
ISSUED TO: PARSONS, ROBERT
52 SPAS DR
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000008579 - ROOFING
PROPERTY: 45 MAPLE AVE
ISSUED DATE: 8/17/2018
ISSUED TO: HUDSON, GEORGE
542 GEER RD
ARCADE, NY 14009

TYPE: ROOF

PROJECT: 0000008580 - UTILITY CHANGES-PLUMBING
PROPERTY: 277 N BUFFALO ST 1
ISSUED DATE: 8/20/2018
ISSUED TO: ANDREWS, AARON
127 SAINT BONIFACE RD
BUFFALO, NY 14225

TYPE: PLUMBING

PROJECT: 0000008581 - DRIVEWAY
PROPERTY: 25 N EDGEWOOD DR
ISSUED DATE: 8/20/2018
ISSUED TO: WATZ, MARGARET
25 N EDGEWOOD DR
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

PROJECT: 0000008582 - FENCES
PROPERTY: 89 S CENTRAL AVE
ISSUED DATE: 8/20/2018
ISSUED TO: BUNCY, LINDSAY
89 S CENTRAL AVE
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000008583 - GARAGE SALE
PROPERTY: 137 N BUFFALO ST 1R
ISSUED DATE: 8/21/2018
ISSUED TO: MYERS, MARY
137 N BUFFALO ST LR
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000008584 - VIOLATION-GRASS
PROPERTY: 107 CHURCH ST
ISSUED DATE: 8/21/2018
ISSUED TO: MARSHALL, TODD
30 OAKVIEW DR
WILLIAMSVILLE, NY 14221

TYPE: VIOLATION

PROJECT: 0000008585 - VIOLATION-GRASS
PROPERTY: 119 N CENTRAL AVE
ISSUED DATE: 8/21/2018
ISSUED TO: HERC PROPERTIES, LLC
55 NICHTER ROAD
LANCASTER, NY 14086

TYPE: VIOLATION

PROJECT: 0000008586 - GARAGE SALE
PROPERTY: 468 FRANKLIN ST
ISSUED DATE: 8/22/2018
ISSUED TO: TROWBRIDGE, JAMIE
468 FRANKLIN ST
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000008587 - ROOFING
PROPERTY: 445 W MAIN ST
ISSUED DATE: 8/22/2018
ISSUED TO: HERRINGTON, JOHN
445 W. MAIN ST.
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008588 - UTILITY CHANGES
PROPERTY: 52 SPAS DR
ISSUED DATE: 8/23/2018
ISSUED TO: SPRINGVILLE HARDWARE
46 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: UTILITY
CHANGES

PROJECT: 0000008589 - ROOFING
PROPERTY: 103 SMITH ST
ISSUED DATE: 8/24/2018
ISSUED TO: SCHUNK, MARY
103 SMITH
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008590 - SIGNS
PROPERTY: 112 E MAIN ST
ISSUED DATE: 8/28/2018
ISSUED TO: CAMBIO, DANIELLE
112 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: SIGNS

PROJECT: 0000008591 - ROOFING
PROPERTY: 48 CHURCH ST
ISSUED DATE: 8/28/2018
ISSUED TO: BATTERSON, DAVID JR
48 CHURCH ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008592 - NONRES NONSTRUCTURAL
PROPERTY: 43 E MAIN ST LWR
ISSUED DATE: 8/28/2018
ISSUED TO: BATTERSON, DAVID C
52 PEARL ST
SPRINGVILLE, NY 14141

TYPE: NONRES
NONSTRUCTURAL

PROJECT: 0000008593 - FENCES
PROPERTY: 51 PROSPECT AVE
ISSUED DATE: 8/28/2018
ISSUED TO: DAVIE, DEREK
25 PROSPECT AVE UPPER
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000008594 - GARAGE SALE
PROPERTY: 189 CATTARAUGUS ST
ISSUED DATE: 8/29/2018
ISSUED TO: MILLER, JERAMIAH
189 CATTARAUGUS ST
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000008595 - WOODSTOVES, FIREPLACES
PROPERTY: 301 MILL ST
ISSUED DATE: 8/29/2018
ISSUED TO: STERRY, JAMES
301 MILL ST
SPRINGVILLE, NY 14141

TYPE: WOODSTOVES,
FIREPLACES

PROJECT: 0000008596 - FIRE INSPECTION PROPERTY: 243 W MAIN ST 201 ISSUED DATE: 8/30/2018 ISSUED TO: SOUL 2 SOLE 10569 OSMUN ROAD FARMERSVILLE STATION, NY 14060	TYPE: FIRE INSPECTION
PROJECT: 0000008597 - VIOLATION-GRASS PROPERTY: 315 W MAIN ST ISSUED DATE: 8/31/2018 ISSUED TO: MCLAUGHLIN, CONNIE S PO BOX 236 KENMORE, NY 14217	TYPE: VIOLATION
PROJECT: 0000008598 - VIOLATION-GRASS PROPERTY: 311 W MAIN ST ISSUED DATE: 8/31/2018 ISSUED TO: NEW WAVE POINT 43 COURT ST #930 BUFFALO, NY 14202	TYPE: VIOLATION
PROJECT: 0000008599 - VIOLATION-GRASS PROPERTY: 297 W MAIN ST ISSUED DATE: 8/31/2018 ISSUED TO: ROHD 243 WEST MAIN ST SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000008600 - VIOLATION-GRASS PROPERTY: 499 FRANKLIN ST ISSUED DATE: 8/31/2018 ISSUED TO: DAVIES, PAUL F III 499 FRANKLIN ST. SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000008601 - VIOLATION-GRASS PROPERTY: 31 ACADEMY ST ISSUED DATE: 9/05/2018 ISSUED TO: SEIDER, JOSHUA 1582 DELAWARE AVE APT #1 BUFFALO, NY 14209-0000	TYPE: VIOLATION
PROJECT: 0000008602 - VIOLATION-GRASS PROPERTY: 19 ACADEMY ST ISSUED DATE: 9/05/2018 ISSUED TO: WEBER, JAYSON 19 ACADEMY ST SPRINGVILLE, NY 14141	TYPE: VIOLATION

TRUSTEE NOTES & PROJECT REPORTS

Trustee Rose had nothing to report this evening.

Trustee Wikman reported that SGI High School now has a Full and a Part Time Resource Officers. The funding for these Officers is thanks to Senator Gallivan's Office.

Trustee Chamberlin inquired about a siding project he noticed in the Historic District.

Trustee Pazzuti nothing to report this evening.

Mayor Krebs reported on the following;

- Meetings
- Mercy Flight new helicopter dedication on 9/20/18
- Oktoberfest preparations

15. Executive Session Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Wikman and Rose voting yes, none opposed to adjourn to Executive Session at 9:04pm to discuss a litigation matter.
16. Adjourn Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Rose and Wikman voting yes, none opposed to adjourn the Regular Session at 9:31 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk