

VILLAGE OF SPRINGVILLE
2021 MINUTES

February 16, 2021

7:00 P. M.

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

Mayor	William Krebs
Trustees	Reed Braman Kim Pazzuti Terry Skelton Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Superintendent of Public Works	Duane Boberg
Building Inspector/ Code Enforcement Officer	Mike Kaleta
Police Officer in Charge	Nicholas Budney
Deputy Clerk	Holly Murtiff
Senior Dispatcher	Rick Johnson
Also Attending	Max Borsuk, Springville Journal Mike Metzger Andy Gernold
Absent	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. The Mayor and Trustees were visible via webcams and the administrator, attorney and others attending were on the call with cameras off and muted.

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

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

PUBLIC COMMENT

Moved to the end of the presentation.

PUBLIC HEARING

2. LL 2021-2 Zoning Changes Mayor Krebs opened the duly advertised public hearing to introduce and discuss the proposed LL 2021-2 Zoning changes to CIP at 297 West Main St. At this time Mayor Krebs introduced Mike Metzger, Planned Development Engineer and Andy Gernold, Owner/Developer and asked them both to speak to the proposal and explain the plans for this project. After explanation and discussion, motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Pazzuti and Braman voting yes, none opposed to closing the Public Hearing.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

3. LL 2021-2 Motion was made by Trustee Wikman, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Wikman, Pazzuti, Braman and Skelton voting yes, none opposed to declaring the Village of Springville the Lead Agency in the SEQR for LL 2021-2 Zoning Changes at 297 West Main St. **021621 A.1**

Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Pazzuti and Braman voting yes, none opposed to declaring a Type 2 unlisted action and negative declaration for the SEQR for LL 2021-2 Zoning Changes.

Motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Braman and Pazzuti voting yes, none opposed to adopting LL 2021-2 Zoning Changes to CIP at 297 W. Main Street.

Local Law No. 2 of 2021 Village of Springville

Amending Section 200-5, Boundaries of Districts on Zoning Map for 297 W. Main Street as indicated:

PROPOSED RE-ZONE AREA PARCEL I:

The current property located at 297 W. Main Street, SBL No 335.14-2-5 is currently zoned Residential (R 8.5) and includes ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Springville, Town of Concord, County of Erie and State of New York, being part of Lot No. 2, Township 6 and Range 6 of the Holland Land Company's survey and bounded and described as follows:

BEGINNING at a point in the centerline of West Main Street distant 1,824.57 feet east from the southwest corner of Lot No. 2; thence (1) northerly parallel to the west line of Lot No. 2 a recorded distance of 1,122.00 feet and a measured distance of 1,123.93 feet to a point; thence (2) easterly along a line forming an interior angle with course (1) of 90° 03' 33" a distance of 270.27 feet to a point which is also the northwest corner of lands conveyed to the Village of Springville by deed recorded in Erie County Clerk's Office in Liber 2128 of Deeds, Page 359; thence (3) southerly along a line forming an interior angle with course (2) of 90° 06' 48" a recorded distance of 792.00 feet and a measured distance 793.47 feet to a point; thence (4) westerly along a line forming an interior angle with course (3) of 89° 59' 14" a distance of 135.90 feet to a point; thence (5) southerly along a line forming an interior angle with course (4) of 269° 18' 51" a distance of 330.00 feet to a point in the centerline of West Main Street; thence (6) westerly along the centerline of West Main Street a recorded distance of 134.37 feet and a measured distance of 133.73 feet to the point or place of beginning shall be rezoned from Residential (R 8.5) to Commercial Industrial Park ("CIP"). Zoning CIP is consistent with the current uses in the adjacent properties would permit the property to be used consistent with anticipated uses permitted under CIP zoning.

PROPOSED RE-ZONE AREA PARCEL II:

The current property located at 0 Carolina Street, SBL No 335.15-8-21.11 is currently zoned Village Industrial (VI) and includes ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Springville, Town of Concord, County of Erie and State of New York, being part of Lot No. 2, Township 6 and Range 6 of the Holland Land Company's survey and bounded and described as follows:

BEGINNING at a point in the centerline of Carolina Street, which point is also the northeast corner of lands conveyed to John Steel and Helen L. Steel by deed in Erie County Clerk's Office in Liber 10952 of Deeds, Page 7557; thence (1) west long the north line of lands conveyed to Steel as aforesaid a distance of 303.87 feet to the northeast corner of lands conveyed to the Village of Springville by deed recorded in Erie County Clerk's Office in Liber 2128 of Deeds, Page 359; thence (2) southerly at a right angle and along the west line of the lands of Steel as aforesaid, a distance of 391.85 feet to a point; thence (3) easterly along a line forming an interior angle with course (2) of $89^{\circ} 44' 40''$ a distance of 305.35 feet to a point in the centerline of Carolina Street; thence (4) northerly along the centerline of Carolina Street a distance of 390.31 feet to the point or place of beginning and shall be rezoned from Village Industrial (VI) to Commercial Industrial Park ("CIP") and combined with 297 W. Main Street, SBL No 335.14-2-5. Zoning CIP is consistent with the current uses in the adjacent properties would permit the property to be used consistent with anticipated uses permitted under CIP zoning.

PROPOSED RE-ZONE AREA PARCEL III:

The current property located at 243 W. Main Street, SBL No 335.15-8-23 will be divided to create a lot. That portion is currently zoned Village Industrial (VI), including ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Springville, Town of Concord, County of Erie and State of New York, being part of Lot No. 2, Township 6 and Range 6 of the Holland Land Company's survey and bounded and described as follows:

BEGINNING at a point in the centerline of Carolina Street, which point is also the northeast corner of lands conveyed to John Steel and Helen L. Steel by deed in Erie County Clerk's Office in Liber 10952 of Deeds, Page 7557; thence (i) west long the north line of lands conveyed to Steel as aforesaid a distance of 303.87 feet to the northeast corner of lands conveyed to the Village of Springville by deed recorded in Erie County Clerk's Office in Liber 2128 of Deeds, Page 359; thence (ii) southerly at a right angle and along the east line of said lands of the Village of Springville, which is also the west line of the lands of Steel, a distance of approximately 171.24 feet to the southeast corner of lands conveyed to the Village of Springville by deed recorded in Erie County Clerk's Office in Liber 2128 of Deeds, Page 359 which is also the point or place of beginning of the parcel herein described; thence (1) southerly along the west line of lands conveyed to John Steel and Helen L. Steel by deed in Erie County Clerk's Office in Liber 10952 of Deeds, Page 7557 a distance of approximately 220.61 feet to a point, which point is also the southwest corner of Parcel II, as above described; thence (2) westerly and parallel to the south line of lands conveyed to the Village of Springville by deed recorded in Erie County Clerk's Office in Liber 2128 of Deeds, Page 359 a distance of approximately 126.87 feet to a point in the east line of lands described in deed to HORD, LLC by deed recorded in Erie County Clerk's Office in Liber 11084 of Deeds, Page 5355; thence (3) northerly along the east line of lands of HORD, LLC a distance of approximately 220.61 feet to a point, which point is also the southwest corner of lands conveyed to the Village of Springville by deed recorded in Erie County Clerk's Office in Liber 2128 of Deeds, Page 359; thence (4) westerly along the southerly line of lands conveyed to the Village of Springville by deed recorded in Erie County Clerk's Office in Liber 2128 of Deeds, Page 359 a distance of approximately 126.87 feet to the point or place of beginning and shall be rezoned from Village Industrial (VI) to Commercial Industrial Park ("CIP") and combined with 297 W. Main Street, SBL No 335.14-2-5. Zoning CIP is consistent with the current uses in the adjacent properties would permit the property to be used consistent with anticipated uses permitted under CIP zoning

SPRINGVILLE ZONING MAP CHANGES

The proposed zoning map shall include re-zoning of certain areas within the Village of Springville to allow for the CIP uses as set forth above for the current property located at 297 W. Main Street, SBL No 335.14-2-5, SBL No 335.15-8-21.11 and that portion of SBL No 335.15-8-23.

Local Law will take effect immediately upon filing with the Secretary of State.

4. Electric Indebtedness Filing and Advertising After explanation by Administrator Melock, motion was made by Trustee Braman, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Braman, Wikman, Pazzuti, and Skelton voting yes, none opposed to filing of exclusion for indebtedness for the electric division as well as advertising for such.
5. Budget Modifications Motion was made by Trustee Wikman, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Wikman, Braman, Pazzuti and Skelton voting yes, none opposed make budget modifications to reflect the JCAP funds received for COVID purchases in the amount of \$725.87. Increase to the revenue account 001-4-3089 Other Gov't Aid and increase to the Buildings Contractual Expense account 1620-40 by \$267.06.
6. LL 2021-3 Advertisement Motion was made by Trustee Wikman, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Wikman, Braman, Pazzuti and Skelton voting yes, none opposed to advertising for Public Hearing for LL 2021-3, Amendments to Chapter 200 – Zoning Article XX Historic Preservation Commission Section 149 to be held on March 1, 2021 at 7:01 pm. This local law will change residency requirements and add an alternate member to the board.

Discussion item;

- Administrator Melock reminded everyone that residents should contact the Village Office to set up a payment arrangement if they are having difficulties paying their utility bills.
- Financial reports for January 2021 have been submitted to the Village Board.
- Budget meetings with department heads are 2/22 & 2/23 starting at 5 pm at 65 Franklin St.
- AFG grant was submitted on 2/10/21 for \$252,515.70 with the Village's share being \$12,024.56. The grant is for 20 SCBA units, 20 pagers, 5 mobile radios, 20 portable radios and a power load lift system for our ambulance stretcher.
- Police reform plan was submitted to the NYS Budget Director on 2/8/21.

SUPERINTENDENT REPORT

7. Annual Bid Ad Motion was made by Trustee Wikman, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Wikman, Braman, Pazzuti and Skelton voting yes, none opposed to sending out and advertising for the annual bid items.

Superintendent Boberg took this opportunity to say that the Electric Division and Jon Tucker have the maintenance on the transformer at North St. Substation finished and working in parallel.

POLICE DEPARTMENT

Officer in Charge Budney reported on the following:

- SPD January 2021 report
- ECSO January 2021 report

8. Procedure Policy Amendments Motion was made by Mayor Krebs, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Wikman, Braman, Pazzuti and Skelton voting yes, none opposed to adopt Manual of Procedure Policy amendments, additions and deletions as outlined below;

February 16, 2021

Page (5)

AD-6 – Fiscal management – (Bail removed)
AD-16 Computer Information Retrieval – (DMV Photo added)
AD-29 – Uniform Specs/Directives (metal name tag pins removed)
AD-40 – ejustice NY Use Policy/Media Policy/Disciplinary Policy – New Policy
PT-14 Use of Force (Choke hold policy (VIII – 6 added)
AR-1 – Arrest Procedure (Bail removed)
AR-7 – Prisoner Transport (Bail Removed)
Delete – SU-3 Patrol Shotgun – department no longer maintains a shotgun/policy not needed

FIRE DEPARTMENT

There was no fire report this evening.

BUILDING INSPECTOR/CEO

BI/CEO Mike Kaleta had no report this evening.

CONTROL CENTER

Senior Dispatch Rick Johnson read the January 2021 report.

NEW BUSINESS

There was no new business to discuss this evening.

OLD BUSINESS

9. 37 South
Central
Avenue
- Village Attorney Paul Weiss updated everyone on the current status of the demolition of 37 South Central Avenue.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #232 through #249 total of \$947,326.65 of 2020/2021 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Wikman, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Wikman, Pazzuti, Braman and Skelton voting yes, none opposed.

PERMITS AND APPLICATIONS

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

PROJECT: 0000009385 - ACCESSORY BUILDING
PROPERTY: 56 PROSPECT AVE
ISSUED DATE: 1/27/2021
ISSUED TO: JENN-CO CONSTRUCTION, INC.
649 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: ACCESSORY
BUILDINGS

PROJECT: 000009386 - FIRE INSPECTION - VOID TYPE: FIRE INSPECTION
PROPERTY: 431 WAVERLY ST
ISSUED DATE: 1/27/2021
ISSUED TO: BLUMENSTEIN, DEREK
431 WAVERLY ST
SPRINGVILLE, NY 14141

PROJECT: 000009387 - FIRE INSPECTION TYPE: FIRE INSPECTION
PROPERTY: 431 WAVERLY ST
ISSUED DATE: 1/27/2021
ISSUED TO: REDING INC
431 WAVERLY ST
SPRINGVILLE, NY 14141

PROJECT: 000009388 - PLANNING BOARD REVIEW TYPE: PLANNING BOARD
PROPERTY: 144 N CENTRAL AVE REVIEW
ISSUED DATE: 1/28/2021
ISSUED TO: REHRAUER, COLBY
178 EAST HILL RUN
SPRINGVILLE, NY 14141

PROJECT: 000009389 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 86 PEARL ST
ISSUED DATE: 1/29/2021
ISSUED TO: BG PROPERTIES & MAINTENANCE
PO BOX 85
BOSTON, NY 14025

PROJECT: 000009390 - LICENSES-FIDDLE FEST TYPE: LICENSES
PROPERTY: 17 FRANKLIN ST
ISSUED DATE: 1/29/2021
ISSUED TO: CONCORD HISTORICAL SOCIETY
PO BOX 425
SPRINGVILLE, NY 14141

PROJECT: 000009392 - PLANNING BOARD REVIEW TYPE: PLANNING BOARD
PROPERTY: 425 S CASCADE DR REVIEW
ISSUED DATE: 2/01/2021
ISSUED TO: SCHICHEL'S NURSERY
7420 PETERS ROAD
SPRINGVILLE, NY 14141

PROJECT: 000009393 - HISTORIC PRESERVATION TYPE: HISTORIC PRESERV
PROPERTY: 43 E MAIN ST LWR REVIEW
ISSUED DATE: 2/02/2021
ISSUED TO: KAMINSKI, LAWRENCE
43 E MAIN STREET
SPRINGVILLE, NY 14141

February 16, 2021
Page (7)

PROJECT: 0000009394 - UTILITY CHANGES-SEWER TYPE: PLUMBING
PROPERTY: 49 ELLIS AVE
ISSUED DATE: 2/09/2021
ISSUED TO: KREZMIEN, JEREMY
10724 ROCK SPRINGS ROAD
WEST VALLEY, NY 14171

VILLAGE ATTORNEY REPORT

Village Attorney Paul Weiss had nothing to add to his earlier report.

TRUSTEE NOTES & PROJECT REPORTS

Trustee Skelton thanked the Board and the two attendees for the in depth discussion during the earlier public hearing regarding LL 2021-2.

Trustee Pazzuti had no report this evening.

Trustee Wikman thanked the Department of Public works for all the hard work they have been doing this winter.

Trustee Braman echoed Trustee Wikman's thanks to the DPW.

Mayor Krebs mentioned the following;

- This is a great winter for winter sports so get outside.
- Starting with the March 1, 2021 meeting the Board meetings will take place in person at 65 Franklin Street as were previously done.

PUBLIC COMMENT

There were no questions or comments this evening.

10. Adjourn Motion was made by Trustee Wikman, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Wikman, Braman, Pazzuti and Skelton voting yes, none opposed to adjourn the Regular Session at 8:14 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk