

VILLAGE OF SPRINGVILLE  
2018 MINUTES

January 2, 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 L. Chamberlin Robert J. Moriarty Jr. Terry W. Skelton Nils Wikman
Village Administrator	Liz C. Melock
Superintendent of Public Works	Kenneth W. Kostowniak
Building Inspector/ Code Enforcement	Michael Kaleta
Deputy Clerk	Holly Murtiff
Police Officer in Charge	Nicholas Budney
Fire Chief	David Klenk
Absent	Paul Weiss, Village Attorney
Also Attending	Max Borsuck, Springville Journal Jennifer Weber, Springville Times Josh Taylor, SPD

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

1. Minutes Minutes of the Regular Meeting of December 4, 2017 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Skelton and Moriarty voting yes, none opposed.

Minutes of the Executive Session of December 4, 2017 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Skelton and Moriarty voting yes, none opposed.

**PUBLIC COMMENT**

There was no public comment this evening.

**DEPARTMENT REPORTS**  
**ADMINISTRATOR REPORT**

2. Service Award Fee Agreement After explanation by Administrator Melock, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Moriarty and Skelton voting yes, none opposed to Authorize Mayor Krebs to sign the Service Award Program Fee Agreement with Hometown Benefits for the actuarial services for the LOSAP program for the

Springville Fire Dept. The cost is \$4,800.00 per year and is guaranteed for a period of 3 years beginning January 1, 2018. The fee for GASB 73 fee would be \$750.00.

3. Fire Election Results Motion was made by Trustee Wikman, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Wikman, Moriarty, Chamberlin and Skelton voting yes, none opposed to approving the below listed of Springville Volunteer Fire Department election results.

Dave Klenk, Chief  
Marc Gentner, 1st Assistant Chief  
Jimmy Siminski, 2nd Assistant Chief  
Mike Cochran, 3rd Assistant Chief  
Cheryl Gentner, 4th Assistant/EMS Chief  
Paul Smith, Captain  
Matt Dygert, 1st Lieutenant  
JP Oatman, 2nd Lieutenant  
Mike Slattery, Fire Police Captain

4. Memo of Understanding - Mercy Flight After discussion, motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Chamberlin and Moriarty voting yes, none opposed to authorize Mayor Krebs to sign the below memorandum of understanding with Mercy Flight

Emergency Ambulance Service and Advanced Life  
Support Services Memorandum of Understanding

This Memorandum of Understanding (“MOU”) is made and entered into as of this 1<sup>st</sup> day of January, 2018 by and between the VILLAGE OF SPRINGVILLE, a municipal corporation with offices at 5 West Main St., PO Box 17, Springville, NY 14141 (hereinafter “VILLAGE”) and MERCY FLIGHT INC. d/b/a MERCY EMS, a domestic not-for-profit corporation organized and existing under the laws of the State of New York, with its office and principal place of business located at 100 Amherst Villa Road, Buffalo, NY 14225, (hereinafter “MERCY EMS”), collectively referred to hereafter as the “Parties”.

RECITALS

WHEREAS, the Parties have entered into a certain original Agreement, dated January 7, 2016 (the “Agreement”), for the purpose of establishing emergency ambulance service and advanced life support services in the Village of Springville by contract under the authority of the VILLAGE’s Municipal Ambulance Service Certificate.

WHEREAS, the Parties have decided to terminate the said original Agreement under the terms and conditions as set forth hereunder as of January 1, 2018.

NOW, THEREFORE, in consideration of the mutual covenants and other good and valuable consideration hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. TERMINATION

The Parties hereby agree that as of the Termination Date, the said Agreement shall stand terminated and thereafter it shall have no future force or effect. Also, the Parties will not be liable for any ongoing obligations except for the surviving obligations under the said Agreement.

## 2. SURVIVING OBLIGATIONS

The Parties shall only remain obligated for any obligations that were intended to survive the expiration of the term of the Agreement as provided therein.

## 3. RELEASE

The Parties do hereby mutually remise, release and forever discharge each other and their respective administrators, executors, representatives, successors and assigns, from any and all actions, causes of action, suits, debts, accounts, covenants, disputes, agreements, promises, damages, judgments, executions, claims, and demands whatsoever in law or in equity that they ever had, now has, or that they or their administrators, executors, representatives, successors and assigns hereafter can or may have, by reason of any act, omission, matter, cause or thing whatsoever occurring at any time prior to the execution of the MOU, whether known or unknown, suspected or unsuspected, foreseen or unforeseen.

## 4. CONTINUED SERVICE

It is the understanding of both parties that MERCY EMS shall continue to provide emergency ambulance service and advanced life support services in the Village of Springville under the authority of MERCY EMS's Ambulance Service Certificate for the foreseeable future. The Parties agree to uphold such applicable obligations of the original Agreement that would allow for the continuation of such service by MERCY EMS to VILLAGE.

5. LL 2018-1 Public Hearing Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to set the public hearing for LL 2018-1, Revision to Chapter 60, Small Animals on Tuesday, January 16th at 7:01 pm at 65 Franklin St., Springville, New York. An advertisement will be placed in the appropriate publication.

6. Village Elections Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to approving the below information regarding the upcoming election.

Village election is March 20, 2018 from noon- 9 pm at the Village of Springville Public Safety Complex at 65 Franklin St. Offices are Mayor (4 year term) and 2 Trustee seats (4 year term).

At this time Administrator Melock informed everyone that there will be an Office of Emergency Management (OEM) meeting on January 10, 2018 at 6 pm at 65 Franklin Street.

## **SUPERINTENDENT REPORT**

Superintendent Kostowniak informed everyone that the vote for by-law change to allow third party provider for supplemental power did not pass due to lack of a quorum. There will be a re-vote during the semi-annual meeting in the spring.

7. Franklin/Church Watermain Change Order Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to approve change order number 1 which is a reduction to the contract in the amount of \$19,477.22 to Fairway Construction, Inc. for the Franklin and Church Streets watermain project. The Franklin/Church watermain project is 95% or more completed, final restoration will happen in the spring.

8. DPW Clerk Appointment Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to approve the permanent appointment of Karen Yormick who has completed her probationary period as of December 12, 2017.

Superintendent Kostowniak updated the Mayor and Board on the following;

- Village Water Division had two water main breaks on North Street. One has been repaired at the bus garage apron, the other will be repaired this week, weather dependent.
- NYDEC Recycling grant has been submitted. Hopefully hear results in coming months. Grant amount requested is \$97,905, total project is \$195,810. Village will have a 50% match, our match will be made up from vehicles and equipment already purchased.
- Streets Division has expended approximately 1/3 of salt allotment on County bid contract (~650 tons ordered out of 1400).

#### **POLICE DEPARTMENT**

9. Officer Resignation Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to accepting with regrets the resignation of Officer Doug Grube effective January 29, 2018.
10. Officer New Hire Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to hiring Joshua Taylor as a part time Officer with the Springville Police Department effective immediately.

Officer in Charge Budney reported on the following;

- SPD and ECSO reports for December 2017
- 2017 year end statistics
- Shop with a Cop event
- SGI seal designs

11. Police Car Bid After explanation by Officer in Charge Budney, motion was made by Trustee Skelton, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Skelton, Chamberlin, Moriarty and Wikman voting yes, none opposed to approving advertising for a new and unused 2018 Ford Utility Police Interceptor.

#### **FIRE REPORT**

12. Surplus/Scrap Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to declaring the attached list (010218 A.1) of items as surplus/scrap to be auctioned or donate as necessary.

Fire Chief Klenk updated the Mayor and Board on the following;

- Calls
- Equipment
- Training
- Events
- Meetings

**BUILDING INSPECTOR/CEO**

BI/CEO Mike Kaleta updated the Mayor and Board on the following;

- Year end items
- Aldi expansion
- Local standards

**CONTROL CENTER**

The November 2017 Control Center report has been received and filed.

**OLD BUSINESS**

There was no Old Business to discuss this evening.

**NEW BUSINESS**

There was no New Business to discuss this evening.

**BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #169 through #190 total of \$515,573.85 of 2017/2018 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Skelton and Moriarty voting yes, none opposed.

**CONSENT AGENDA**

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

Minutes of the Zoning Board meeting on November 29, 2017.

Minutes of the Planning Board meeting on December 12, 2017.

PROJECT: 0000008350 - ROOFING  
PROPERTY: 112 W MAIN ST  
ISSUED DATE: 11/28/2017  
ISSUED TO: VACINEK HEATING & ROOFING, INC  
8038 BOSTON STATE ROAD  
HAMBURG, NY 14075

TYPE: ROOF

PROJECT: 0000008351 - FIRE INSPECTION  
PROPERTY: 271 W MAIN ST UPPER  
ISSUED DATE: 11/29/2017  
ISSUED TO: ANGEL HAIR DESIGN  
271 W MAIN ST  
SPRINGVILLE, NY 14141

TYPE: FIRE  
INSPECTION

PROJECT: 0000008352 - FENCES PROPERTY: 393 E MAIN ST ISSUED DATE: 12/01/2017 ISSUED TO: LINK, JAMES 393 E MAIN ST SPRINGVILLE, NY 14141	TYPE: FENCES
PROJECT: 0000008353 - UTILITY CHANGES-PLUMBING PROPERTY: 115 WAVERLY ST LWR ISSUED DATE: 12/01/2017 ISSUED TO: THOMAS RANDALL PLUMBING 25 ACADEMY STREET SPRINGVILLE, NY 14141	TYPE: PLUMBING
PROJECT: 0000008354 - UTILITY CHANGES-ELECTRIC PROPERTY: 203 FRANKLIN ST ISSUED DATE: 12/04/2017 ISSUED TO: WARNING ELECTRIC 431 OLEAN ROAD EAST AURORA, NY 14052	TYPE: ELECTRIC
PROJECT: 0000008355 - UTILITY CHANGES-PLUMBING PROPERTY: 23 CHURCH ST ISSUED DATE: 12/07/2017 ISSUED TO: FUENTES, ELIOENAI 23 CHURCH ST SPRINGVILLE, NY 14141	TYPE: PLUMBING
PROJECT: 0000008356 - FIRE INSPECTION-CAFE' PROPERTY: 39 E MAIN ST LWR ISSUED DATE: 12/07/2017 ISSUED TO: BATTERSON, DAVID 39 E MAIN STREET SPRINGVILLE, NY 14141	TYPE: FIRE INSPECTION ASSEMBLY
PROJECT: 0000008357 - FIRE INSPECTION PROPERTY: 45 E MAIN ST LWR ISSUED DATE: 12/07/2017 ISSUED TO: ECHOS THROUGH TIME 45 E MAIN ST LWR SPRINGVILLE, NY 14141	TYPE: FIRE INSPECTION ASSEMBLY
PROJECT: 0000008358 - FIRE INSPECTION PROPERTY: 43 E MAIN ST UPR ISSUED DATE: 12/07/2017 ISSUED TO: FIDDLERS CURIOSITY 43 E MAIN ST SPRINGVILLE, NY 14141	TYPE: FIRE INSPECTION

PROJECT: 0000008359 - FIRE INSPECTION  
PROPERTY: 41 E MAIN ST LWR  
ISSUED DATE: 12/07/2017  
ISSUED TO: THE BUFFALO NEWS, INC  
PO BOX 100  
BUFFALO, NY 14240-0100

TYPE: FIRE  
INSPECTION

PROJECT: 0000008360 - FIRE INSPECTION  
PROPERTY: 228 NEWMAN ST  
ISSUED DATE: 12/12/2017  
ISSUED TO: BENLIC  
95 FRANKLIN ST  
SUITE 1066  
BUFFALO, NY 14202-0000

TYPE: FIRE  
INSPECTION

PROJECT: 0000008361 - RESIDENTIAL ALTERATION  
PROPERTY: 45 E MAIN ST UP-F  
ISSUED DATE: 12/14/2017  
ISSUED TO: BATTERSON, DAVID  
52 PEARL ST  
SPRINGVILLE, NY 14141

TYPE: RESIDENTIAL  
ALTERATION

PROJECT: 0000008362 - FIRE INSPECTION  
PROPERTY: 287 S CASCADE DR  
ISSUED DATE: 12/15/2017  
ISSUED TO: WALMART FUEL STATION  
287 S CASCADE DR  
SPRINGVILLE, NY 14141

TYPE: FIRE  
INSPECTION

PROJECT: 0000008363 - NONRES NONSTRUCTURAL  
PROPERTY: 224 E MAIN ST  
ISSUED DATE: 12/18/2017  
ISSUED TO: RP MECHANICAL  
7165 GENESEE RD  
SPRINGVILLE, NY 14141

TYPE: NONRES  
NONSTRUCTURAL

PROJECT: 0000008364 - UTILITY CHANGES-SEWER  
PROPERTY: 21 S CASCADE DR  
ISSUED DATE: 12/19/2017  
ISSUED TO: COUNTRY FAIR  
2251 EAST 30TH ST.  
ERIE, PA 16510

TYPE: PLUMBING

PROJECT: 0000008365 - ROOFING  
PROPERTY: 56 NEWMAN ST  
ISSUED DATE: 12/19/2017  
ISSUED TO: MARTIN, JIM  
9020 WOLCOTT ROAD  
CLARENCE CENTER, NY 14032

TYPE: ROOF

PROJECT: 0000008366 - NONRES STRUCTURAL  
PROPERTY: 175 S CASCADE DR  
ISSUED DATE: 12/20/2017  
ISSUED TO: ALDI #51  
220 STONERIDGE DRIVE  
SUITE 200  
COLUMBIA, SC 29210-0000

TYPE: NONRES  
STRUCTURAL

PROJECT: 0000008367 - UTILITY CHANGES-PLUMBING  
PROPERTY: 532 MILL ST  
ISSUED DATE: 9/26/2015  
ISSUED TO: MILL RIDGE LLC  
7160 SERPENTINE DRIVE  
ORCHARD PARK, NY 14127

TYPE: PLUMBING

**TRUSTEE NOTES & PROJECT REPORTS**

All attending wish Trustee Wikman a very happy birthday.

Trustee Skelton added his compliments to the Streets Division for the great job they've been doing on snow removal during the recent storm events.

Mayor Krebs thanked Officer in Charge, the Springville Police Department and all those who assisted in the Shop with a Cop event on December 9<sup>th</sup> and made it such a success.

13. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Moriarty and Chamberlin voting yes, none opposed to adjourn the Regular Session at 7:43 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk