

DRAFT

VILLAGE OF SPRINGVILLE 2019 MINUTES

March 18, 2019

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
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Superintendent of Public Works	Ken Kostowniak
Police Officer in Charge	Nicholas Budney
Deputy Clerk	Holly Murtiff
Also Attending	Max Borsuk, Springville Journal Kellen Quigley, Springville Times Robert Rung Dennis Dains
Absent	Marc Gentner, Fire Chief

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

1. Minutes Minutes of the Regular Meeting of March 4, 2019 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed.

PUBLIC HEARING

2. LL 2019-4 Mayor Krebs opened the public hearing regarding LL 2019-4 for Cell Tower and Small Cell Installation. This Public Hearing must be rescheduled until April 1, 2019 at 7:01pm in order to allow for a proper advertisement to be placed in the appropriate publication.
3. 2019-2020 Tentative Budget Mayor Krebs opened the duly advertised Public Hearing to discuss the proposed 19/20 Tentative Budget. Mayor Krebs presented a power point explanation of the General Fund Budget.

DRAFT

March 18, 2019

Page (2)

TENTATIVE BUDGET VILLAGE OF SPRINGVILLE 2019-2020

	General	Water	Sewer
Appropriations	3,605,096	1,284,859	939,487
Estimated Revenue	1,522,116	1,201,859	939,487
(Other Than Real Estate Taxes Reserve Fund Revenues)			
Reserve Fund Revenues	0	0	0
Appropriated Fund Balance	250,000	83,000	0
Total Funding Sources	1,772,116	1,284,859	939,487
Balance of Appropriations To be raised by Real Estate Tax Levy	1,832,980		
Tax Cap	1,826,263		
Taxable Property Assessed Valuation 2019/2020 Levy	102,688,036 1,832,980		
2019/2020 Tax Rate per \$1000	\$17.84998		

2018-2019 Tax Rate \$17.25907 3.42%
Levy Percentage Increase/(Decrease)
2018/2019 levy \$1,762,527 3.99%

After discussion and questions, motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Rose and Wikman voting yes, none opposed to close the 2019/2020 Preliminary Budget public hearing.

PUBLIC COMMENT

Robert Rung, 20 Glen Street, asked questions regarding the recent Mutual Aid work the Electric Division has done in other communities.

There being no further questions, Mayor Krebs closed the Public Comment portion of the meeting.

DEPARTMENT REPORTS ADMINISTRATOR REPORT

4. LL 2019-4 SEQR Motion was made by Trustee Wikman, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Wikman, Rose, Chamberlin and Pazzuti voting yes, none opposed to approve the SEQR form and name the Village of Springville Village Board as the lead agency for LL 2019-4 Wireless Telecom.
5. LL 2019-4 Negative Declaration Motion was made by Trustee Rose, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Rose, Wikman, Chamberlin and Pazzuti voting yes, none opposed to declare a negative declaration for LL 2019-4 Wireless Telecom.

DRAFT

March 18, 2019

Page (3)

6. LL 2019-5 Public Hearing Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to set the public hearing for LL 2019-5, Amend Section 200-5, 243 W. Main St. Zoning for April 1st at 7:03 pm. Advertisements will be placed in the appropriate publication.
7. LL 2019-5 SEQR Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to approve the SEQR form and name the Village of Springville Village Board as the lead agency for LL 2019-5, Amend Section 200-5, 243 W. Main St. Zoning.
8. LL 2019-5 Negative Declaration Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to declare a negative declaration for LL 2019-5, Amend Section 200-5, 243 W. Main St. Zoning.
9. Award TAP Project Motion was made by Trustee Pazzuti, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Pazzuti, Wikman, Chamberlin and Rose voting yes, none opposed to award the TAP project to D & H Excavating, Inc. in the amount of \$437,101.90. Bids were received and opened on February 1, 2019 and contractors submitted bids. D & H Excavating was the low bidder followed by Occhino Corp. at \$499,013 and Millennium Construction at \$546,573. The low bid was reviewed and approved by Watts Architecture & Engineering and NYSDOT.
10. D&H Excavating Contract Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to authorize Mayor Krebs to sign the contract with D & H Excavating, after Village Attorney approval, for the amount of \$437,101.90.
11. Watts Architecture & Engineering Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to authorize Mayor Krebs to sign a contract with Watts Architecture & Engineering for the construction management phase of the TAP project, after Village Attorney approval.
12. Recycling Totes Motion was made by Trustee Pazzuti, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Pazzuti, Wikman, Chamberlin and Rose voting yes, none opposed to award the recycling cart purchase to Cascade Engineering in the quantity of 1500 – 64 gallon recycling carts in green at \$60,330 and assembly & distribution for \$6,375 for a total price of \$66,705 (Sourcewell Contract #041217-CEI). The carts will arrive sometime in June 2019.
13. Police Hiring Policy Change After explanation by Administrator Melock, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to change the police hiring policy. The new policy will be that retired police officers still certified from their full time position will be eligible for employment in the Village of Springville as a part time police officer.

At this time Administrator Melock took the opportunity to remind everyone that the April 1st Board meeting is the annual reorganization meeting.

SUPERINTENDENT REPORT

Superintendent Kostowniak reported on the following;

- NYSEG mutual aid 2/25/19 – 3/1/19
- NYSDEC flow and MDL exceedance violations
- Meeting with NYSDEC regarding WWTP upgrades

DRAFT

March 18, 2019
Page (4)

- Primary Digester bid package is ready for advertisement
- Scheduled electric outage between East Ave. and East Hill Run for tree trimming on 3/23/19

14. MEUA Voting Delegate Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Chamberlin, Rose, Pazzuti and Wikman voting yes, none opposed to naming Superintendent Kostowniak, and approve the below voting resolution, as the voting delegate for the Village of Springville at the MEUA Semi-annual meeting held on April 24 & 25, 2019.

RESOLUTION

At a regular meeting of the Board of Trustees of the Village of Springville, New York, held on March 18, 2019, the following resolution was adopted:

Moved by Trustee Chamberlin, seconded by Trustee Rose.

WHEREAS, the Board of Trustees of the Village of Springville, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 24, and April 25, 2019 to be held at the Embassy Suites by Hilton Destiny USA, 311 Hiawatha Blvd W, Syracuse, NY 13204 and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Kenneth Kostowniak be and is hereby designated as the accredited delegate of the Village of Springville, New York.

On roll call: Affirmative: 5 Negative: 0

15. Electric Scrap/Surplus Motion was made by Trustee Rose, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Rose, Chamberlin, Pazzuti and Wikman voting yes, none opposed to declaring the below list of items (transformers) surplus and to be disposed of via recycling, sale or scrap.

<u>Serial no.</u>	<u>Make</u>	<u>KVA</u>	<u>NO.</u>	<u>Location</u>
2943675	Allis Chalms	15	308	Retired 11/5/18 2718170
65AM6703	Westinghouse	25	212	Retired 1/9/19 261904
D630901-58Y	G.E.	75	689	Retired 1/24/19 261907
C550261-56P	G.E.	75	690	Retired 1/24/19 261907
D637496-58Y	G.E.	75	691	Retired 1/24/19 261907
4447600301	Kuhlman	25	1007	Retired 5/29/18 271866

DRAFT

March 18, 2019

Page (5)

16. NYSDOT Utility Work Agreement After explanation by Superintendent Kostowniak, motion was made by Trustee Wikman, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Wikman, Rose, Chamberlin and Pazzuti voting yes, none opposed to Superintendent Kostowniak being the contact and authorized to sign the agreement with NYSDOT to perform facility adjustments, maintain facilities and authorizing a municipal official to enter into agreements with the State of New York.

POLICE DEPARTMENT

Officer in Charge Budney had nothing to report this evening.

FIRE DEPARTMENT

There was no fire report this evening.

BUILDING INSPECTOR/CEO

17. LL 2019-4 Language BI/CEO Kaleta updated the Mayor and Board that the language for LL 2019-4, Wireless Telecommunication Facilities was approved by the Planning Board.
18. LL 2019-6 Public Hearing After explanation by BI/CEO Kaleta, motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Rose and Wikman voting yes, none opposed to setting a public hearing for April 15, 2019 at 7:01 pm for LL 2019-6, Elm Street Healthcare Overlay District zoning change. Advertisements will be placed in the appropriate publication.
19. Garbage Violation After explanation by BI/CEO Kaleta, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to treating the garbage violation at 190 Waverly as a violation of Chapter 145 (Solid Waste) of the Village Code.

CONTROL CENTER

The February 2019 Control Center report has been received and filed.

NEW BUSINESS

20. South Cascade Drive After discussion and explanation by Mayor Krebs, 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 and authorizing Mayor Krebs to sign the below resolution.

Resolution Refusing Town of Concord's Request to Maintain and Own South Cascade Drive Between Route 39 and Waverly Street in Springville

WHEREAS, The Town of Concord requested in a letter dated October 12, 2018 that the Village of Springville maintain and own the section of South Cascade Drive between Route 39 and Waverly Street, and

WHEREAS, there is no documentary evidence that this section of South Cascade Drive was maintained and owned by the Village of Springville, and

DRAFT

March 18, 2019

Page (6)

WHEREAS, this section of South Cascade Drive is a regional thoroughfare for motorists traveling north and south through Springville and for regional visitors to the big box retail development on this road, and

WHEREAS, the sections of this South Cascade Drive contiguous to the north Route 39 and to the south of Waverly are within in Village limits and are not maintained or owned by the Village of Springville, and

WHEREAS, the maintenance and ownership of the this section of South Cascade Drive would be an unfair burden to the 4300 residents of the Village of Springville because this road serves the town and region's residents, and

WHEREAS, the State of New York and the County of Erie maintain other streets within the Village of Springville limits, and

WHEREAS, Village of Springville residents pay town taxes which should fund the maintenance and ownership of this three lane regional section of South Cascade Drive, and

WHEREAS, the State of New York transferred the maintenance and ownership of this section of South Cascade Drive to the Town of Concord in an Official Order dated November 3, 2011, and NOW THEREFORE LET IT BE RESOLVED: that Village of Springville refuses the request by the Town of Concord to maintain and own South Cascade Drive between Route 39 and Waverly Street.

OLD BUSINESS

21. LL 2019-7 Changes After discussion, motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Chamberlin, Rose, Pazzuti and Wikman voting yes, none opposed to setting a public hearing for April 15, 2019 at 7:02 pm regarding proposed LL 2019-7, amendments to Section 200-23 & 200-28 C, Parking for bars and restaurants. Advertisements will be placed in the appropriate publication.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #261 through #274 total of \$475,517.26 of 2019/2020 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, Rose and Pazzuti voting yes, none opposed.

CONSENT AGENDA

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

PROJECT: 0000008708 - UTILITY CHANGES-ELECTRIC

TYPE: ELECTRIC

PROPERTY: 164 MILL ST

ISSUED DATE: 2/25/2019

ISSUED TO: PETERMAN, RENEE

164 MILL ST

SPRINGVILLE, NY 14141

DRAFT

March 18, 2019

Page (7)

PROJECT: 0000008709 - NONRESIDENTIAL STRUCTURAL TYPE:
PROPERTY: 37 N BUFFALO ST HISTORIC PRESERV REVIEW
APPLIED DATE: 2/28/2019
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
37 N BUFFALO ST, PO BOX 62
SPRINGVILLE, NY 14141

PROJECT: 0000008710 - PLANNING BOARD REVIEW-SUBDIVISION TYPE:
PROPERTY: RAUCH DR PLANNING BOARD REVIEW
ISSUED DATE: 2/28/2019
ISSUED TO: GERNATT ASPHALT PRODUCTS
13870 TAYLOR HOLLOW DRIVE
COLLINS, NY 14034

PROJECT: 0000008711 - RESIDENTIAL HOME/STRUCTURAL TYPE:
PROPERTY: 63 PROSPECT AVE RESIDENTIAL HOME/STRUCT
ISSUED DATE: 3/01/2019
ISSUED TO: ALLIANCE HOMES
4727 CAMP ROAD
HAMBURG, NY 14075

PROJECT: 0000008712 - VIOLATION-PLOWING ACROSS ROAD TYPE:
PROPERTY: 37 SUNSET LANE VIOLATION
ISSUED DATE: 3/01/2019
ISSUED TO: BRECKER, JEFF & COLLEEN
37 SUNSET LANE
SPRINGVILLE, NY 14141

PROJECT: 0000008713 - VIOLATION-GARBAGE AT CURB TYPE:
PROPERTY: 176 W MAIN ST VIOLATION
ISSUED DATE: 3/01/2019
ISSUED TO: HART, COLIN
96 E MAIN ST
FREDONIA, NY 14063

PROJECT: 0000008714 - RESIDENTIAL ALTERATION TYPE:
PROPERTY: 62 E MAIN ST RESIDENTIAL ALTERATION
ISSUED DATE: 3/01/2019
ISSUED TO: COCCA, WENDY
58 N EDGEWOOD DR
SPRINGVILLE, NY 14141

PROJECT: 0000008715 - UTILITY CHANGES-PLUMBING TYPE:
PROPERTY: 91 SPRING ST UTILITY CHANGES
ISSUED DATE: 3/05/2019
ISSUED TO: SNYDER, ROY M
91 SPRING ST
SPRINGVILLE, NY 14141

DRAFT

March 18, 2019

Page (8)

PROJECT: 0000008716 - VIOLATION-FURNITURE AT ROAD
PROPERTY: 190 WAVERLY ST
ISSUED DATE: 3/07/2019
ISSUED TO: BACON, CHRISTEN
190 WAVERLY ST.
SPRINGVILLE, NY 14141

TYPE:
VIOLATION

PROJECT: 0000008717 - SIGNS
PROPERTY: 100 S CASCADE DR
ISSUED DATE: 3/08/2019
ISSUED TO: PREMIER SIGN SYSTEMS, LLC
10 EXCEL DR
ROCHESTER, NY 14621

TYPE: SIGNS

PROJECT: 0000008718 - UTILITY CHANGES-PLUMBING
PROPERTY: 104 SMITH ST
ISSUED DATE: 3/11/2019
ISSUED TO: MOWERY, CODY
104 SMITH ST
SPRINGVILLE, NY 14141

TYPE:
PLUMBING

PROJECT: 0000008719 - NONRES NONSTRUCTURAL-GRANT
PROPERTY: 35 E MAIN ST S-A
ISSUED DATE: 7/01/2016
ISSUED TO: NEUREUTHER, LIESLE & BRODIE
11531 ALLEN RD
EAST CONCORD, NY 14055

TYPE:
NONRES NONSTRUCTURAL

TRUSTEE NOTES & PROJECT REPORTS

Trustee Chamberlin had nothing to report this evening.

Trustee Pazzuti had nothing to report this evening.

Trustee Rose had nothing to report this evening.

Trustee Wikman had nothing to report this evening.

Mayor Krebs reported on the partnership between the Town of Concord, Village of Springville and Springville Center for the Arts to work on the Concerts in the Park concert series.

22. Executive Session Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Chamberlin, Rose, Pazzuti and Wikman voting yes, none opposed to adjourn to Executive Session at 8:30 pm to discuss the following;
- Lawsuit updates
 - Town of Sardinia vs. Village of Springville
 - Village of Springville vs. Weber
 - Potential employment review
23. Adjourn Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to adjourn the Regular Session at 9:00 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk