

VILLAGE OF SPRINGVILLE
2018 MINUTES

March 19, 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
Village Attorney	Paul Weiss
Superintendent of Public Works	Kenneth W. Kostowniak
Building Inspector/ Code Enforcement	Michael Kaleta
Deputy Clerk	Holly Murtiff
Police Officer in Charge	Nicholas Budney
Absent	David Klenk, Fire Chief
Also Attending	Colleen Mahoney, Springville Journal Rich Place, Springville Times Nancy DiBlasi, Cozy Corners Ellen Krzemien
Tim Black, LandPro	
John DiBlasi, Cozy Corners	
Kevin Manchester	

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

1. Minutes Minutes of the Regular Meeting of March 5, 2018 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 HEARING

2. LL 2018-2 Mayor Krebs opened the duly advertised Public Hearing to discuss the LL 2018-2 to amend
Amend Zoning Chapter 200. The proposed amendments to Zoning Chapter 200 are as follows;
Zoning Chapter 200
Chapter 200 **Zoning Chapter 200-8.1 Retail Overlay District Changes**

D. Bulk, space and yard requirements. The building height, lot area, open spaces and yard dimension requirements applicable in the R-O District shall be the same as those applicable in the underlying district or as specified in Article X of this chapter for certain uses, except:

(1) Minimum lot frontage of 100 feet, unless a larger frontage is required by Article X of this chapter.

Exception; Agricultural retail and wholesale business Minimum 200 feet frontage.

(2) May only use 200 feet in depth of lot for the nonresidential use as measured from the nearest right of way line of the street.

(3) Maximum lot coverage by principal and accessory buildings shall be 50%.

C. Permitted Uses

Add **Agricultural Retail or Wholesale Business with outdoor storage.**

G. Adequate buffer yards and screening shall be provided **for outdoor storage areas and** where necessary to protect adjacent properties and land uses as determined by the Planning Board.

H. Use Limitations

(3) No outdoor Storage permitted. **Except for approved Agricultural Retail or Wholesale Business.**

(4) The placing of more than one item for sale or display in a front yard is prohibited. **Except for approved Agricultural Retail or Wholesale business or as allowed by the underlying district.**

(7) ~~Nonresidential use is limited to maximum size of 2,500 square feet of gross floor area for new buildings.~~

Definition:

Agricultural Retail or Wholesale Business – A use primarily engaged in the sale or rental of farm tools and implements, feed, grain, tack, animal care products, farm supplies, food sales, farm machinery and repair. Animal storage or sales shall not be permitted.

At this time Mayor Krebs invited those attending to speak to these proposed changes. The following people addressed the Board;

Kevin Manchester	290 Vaughn Street
Tim Black, LandPro	336 Vaughn Street
John DiBlasi, Cozy Corners	690 E. Main Street

After the above people spoke Mayor Krebs stated that many of the items that were mentioned are actually items that should be addressed with the Planning Board.

Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to close the public hearing for LL 2018-2.

PUBLIC COMMENT

There was no public comment this evening.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

3. LL 2018-2
Retail
Overlay
- Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to adopting Local Law 2018-2 language and map (031918 A.1) as presented in the above Public Hearing.

4. 2018-2019 Budget 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 2018/2019 Village of Springville tax rate at \$17.25907, per thousand, representing a 1.72% increase over last year, and to adopt the proposed 2018/2019 budget as follows:

**VILLAGE OF SPRINGVILLE
2018-2019**

	General	Water	Sewer	Electric
Appropriations	3,447,872	1,197,939	779,854	3,674,472
Estimated Revenue	1,450,345	1,197,839	779,854	3,674,472
(Other Than Real Estate Taxes Reserve Fund Revenues)				
Reserve Fund Revenues	0	0	0	
Appropriated Fund Balance	235,000	0	0	
Total Funding Sources	1,685,345	1,197,839	779,854	3,674,472
Balance of Appropriations To be raised by Real Estate Tax Levy	1,762,527			
Tax Cap	1,785,313			
Taxable Property Assessed Valuation	102,121,760			
Levy	1,762,527			
Tax Rate per \$1000	\$17.25907			

2017-2018 Tax Rate \$16.99437 1.56%
Levy Percentage Increase/(Decrease)
2017/2018 levy \$1,732,756 1.72%

5. Election Inspectors Due to two election inspectors cancelling Administrator Melock asked that the below ladies be approved to serve as election inspectors on Tuesday, March 20, 2018 in the Village of Springville General Election. Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustee Chamberlin, Wikman, Moriarty and Skelton voting yes, none opposed to approving the below as election inspectors as outlined.

Jane Ciszak	Inspector	\$10.50/hr
Pheobe Sherlock	Alternate Inspector	\$10.50/hr

6. TAP Informational Meeting Administrator Melock reminded everyone that at the next Board meeting on April 2nd there will be a presentation by Watts Engineering on the upcoming TAP Bike Walk Project.

Administrator Melock took this opportunity to remind everyone to vote in the upcoming General Election, March 20th, noon until 9 pm and the polling place is upstairs at 65 Franklin Street.

SUPERINTENDENT REPORT

Superintendent Kostowniak updated everyone on the following;

- NYRural Water asked for a support letter for SWAP (Safe Water Infrastructure Action Program). A letter was sent to Assemblyman David DiPietro and Senator Gallivan. NYRural water is seeking more funding for water utilities.
- Salamanca sent a thank you letter for helping them during their recent state of emergency.
- The Electric Division was on mutual aid with NYSEG for 7 days working approximately 17 hour workdays to get power back on in Concord, Ashford, Boston, Colden and Hamburg.
- Flow monitoring has finished and engineering is recommended.
- A proposal was signed with GHD Consultants to complete storm water pollution prevention plan at the WWTP.

7. Dump/Plow Bid Award Motion was made by Trustee Chamberlin, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustee Chamberlin, Moriarty, Skelton and Wikman voting yes, none opposed to awarding, as the result of the bid opening on March 9, 2018, to Emerling Dodge the purchase of a new and unused 1-ton dump/plow truck in the amount of \$17,622.50. The bids were as follows;

West Herr total \$25,247 (\$45,427 price minus \$20,000 for trade)
Emerling Dodge total \$17,622.50 (\$41,622.50 minus \$24,000 for trade)

8. DPW Summer Hires 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 list of summer/temporary employees at the NYS minimum wage rate of \$10.40/hr.

Streets Division

Miranda Richert	326 E. Main St., Springville
Collin Harrigan	87 Elk St., Springville
Ethan Smith	231 E. Main St., Springville
Riley Stedman	236 N. Buffalo St., Springville

Waste Water Treatment Plant

Jonathan Smith	231 E. Main St., Springville
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Water/Sewer Division

James Shearer	109 Chestnut St., Springville
Alex Harrigan	87 Elk St., Springville

Electric Division

Parker Rice	42 Ellis Ave., Springville
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9. MEUA Voting Delegate Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to appointing Ken Kostowniak as the voting delegate for the Village of Springville for the MEUA Semi-Annual meeting on April 11 and April 12, 2018 and to approve the below resolution.

RESOLUTION

At a regular meeting of the Board of Trustees of the Village of Springville, New York, held on March 19, 2018, the following resolution was adopted;

Moved by Trustee Skelton, seconded by Trustee Moriarty.

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 11 and April 12, 2018 to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 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 Superintendent of Public Works Kenneth Kostowniak be and is hereby designated as the accredited delegate of the Village of Springville, New York.

	A YE	N AY
William Krebs, Mayor	X	
Alan Chamberlin, Trustee	X	
Robert Moriarty, Jr., Trustee	Second	
Terry Skelton, Trustee	First	
Nils Wikman, Trustee	X	

Superintendent Kostowniak took this opportunity to thank Trustee Moriarty for all his service to the Village of Springville.

POLICE DEPARTMENT

Officer in Charge Budney updated the Mayor and Board on the following;

- Vehicle update
- Seal design

10. Kiwanis Donation
- After explanation by Officer in Charge Budney, motion was made by Trustee Chamberlin, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Chamberlin, Skelton, Moriarty and Wikman voting yes, none opposed to approving receipt of a donation of \$300 to be used in “coupons” in the amount \$3.00 each made to be used at an area business, yet to be determined. The coupons will be handed to area youth by our police officers.

FIRE REPORT

There was no fire report this evening.

BUILDING INSPECTOR/CEO

BI/CEO Mike Kaleta had nothing to report this evening.

CONTROL CENTER

There was no Control Center report this evening.

OLD BUSINESS

11. M & T Park Tree After discussion, motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to put a hold on the removal of the pine tree in M & T Park on Main and Mechanic Streets. After consideration and research the idea of replacing the tree must be further looked into.

NEW BUSINESS

12. School Safety Resolution 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 resolution.

Resolution Supporting Additional State Funding for School Safety

Whereas, the security of schools and the students within is of the utmost importance; and

Whereas, a disturbing and growing trend in the US has seen a rise in school based violence; and

Whereas, our municipalities and school districts often lack the available resources to retain School Resource Officers within all of our buildings; and

Whereas, School resource officers serve many roles for schools including but not limited to: providing law enforcement and investigation, developing crime prevention programs, training and securing school personnel, establishing a working relationship with school and students, assisting students in conflict resolution, and being a positive role model; and

Whereas, the Springville Griffith Institute Central School District is serviced only by a part-time Resource Officer; and

Whereas, the New York State Senate has already adopts its School Safety Package of legislation which includes Gallivan S.7810-A, S.7811, S.1144-A, and S.7791, which would create funding opportunities for school districts to provide resource officers, as well as adjust earning limitations and peace officer status for retired police officer;

Now Let It Be Resolved that the Village of Springville supports the School Safety Package, specifically Gallivan S.7810-A, S.7811, S.1144-A, and S.7791; and

Be It Further Resolved, that the honorable members of the New York State Assembly, and the Governor of the State of New York to follow in the New York State Senates example and include funding for these necessary programs in this year's budget, and provide our schools this valuable resource and security; and

Be It Further Resolved, that these programs should be funded without negatively affecting current educational funding source.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #249 through #263 total of \$296,013.96 of 2017/2018 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Chamberlin, seconded by

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Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Skelton and Moriarty voting yes, none opposed.

CONSENT AGENDA

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

PROJECT: 0000008395 - VIOLATION-GARBAGE TYPE: VIOLATION
PROPERTY: 35 S VAUGHN ST
ISSUED DATE: 2/28/2018
ISSUED TO: HEIM, DANIEL
12910 DOWD ROAD
SPRINGVILLE, NY 14141

PROJECT: 0000008396 - RESIDENTIAL DEMO TYPE: RESIDENTIAL
PROPERTY: 301 MILL ST DEMO
ISSUED DATE: 3/01/2018
ISSUED TO: CHRISTIAN GENERAL CONTRACTOR
14040 MILL ST
PO BOX 115
SPRINGVILLE, NY 14141-0115

PROJECT: 0000008397 - FIRE INSPECTION TYPE: FIRE
PROPERTY: 521 S CASCADE DR INSPECTION
ISSUED DATE: 1/01/2018
ISSUED TO: SOUTH CASCADE RESTAURANT LLC
521 S. CASCADE DR
PO BOX 193
COLLINS CENTER, NY 14035

PROJECT: 0000008398 - ROOFING TYPE: ROOF
PROPERTY: 37 S CENTRAL AVE
ISSUED DATE: 3/02/2018
ISSUED TO: WEBER, STEVEN ALAN
11256 PERRY RD
PAVILION, NY 14525

PROJECT: 0000008399 - ROOFING TYPE: ROOF
PROPERTY: 21 WOODWARD AVE
ISSUED DATE: 3/05/2018
ISSUED TO: SKELTON, TERRY W
21 WOODWARD AVE.
SPRINGVILLE, NY 14141

PROJECT: 0000008400 - RESIDENTIAL ALTERATION TYPE: RESIDENTIAL
PROPERTY: 94 SMITH ST ALTERATION
ISSUED DATE: 3/05/2018
ISSUED TO: STACHOWSKI, JAMES
94 SMITH ST.
SPRINGVILLE, NY 14141

PROJECT: 000008401 - NONRES NONSTRUCTURAL
PROPERTY: 202 S CASCADE DR
ISSUED DATE: 3/05/2018
ISSUED TO: BISON CONSTRUCTION CORP
417 PORTAGE ROAD
NIAGARA FALLS, NY 14303

TYPE: NONRES
NONSTRUCTURAL

PROJECT: 000008402 - SIGNS
PROPERTY: 202 S CASCADE DR
ISSUED DATE: 3/07/2018
ISSUED TO: RESPIRATORY SERVICES WNY
80 FRENCH RD
CHEEKTOWAGA, NY 14227

TYPE: SIGNS

PROJECT: 000008403 - FIRE INSPECTION
PROPERTY: 202 S CASCADE DR
ISSUED DATE: 3/13/2018
ISSUED TO: RESPIRATORY SERVICES OF WNY
80 FRENCH RD
CHEEKTOWAGA, NY 14227

TYPE: FIRE
INSPECTION

PROJECT: 000008404 - SIGN - ZONING BOARD
PROPERTY: 34 BARNSTEAD 2
ISSUED DATE: 3/13/2018
ISSUED TO: SHMO
8912 HEBDON RD
WEST VALLEY, NY 14171

TYPE: ZONING
REVIEW

TRUSTEE NOTES & PROJECT REPORTS

All attending took this opportunity to thank Trustee Moriarty for his service to the Village of Springville and its residents.

Trustee Moriarty thanked the residents of Springville, the Mayor and Board and his family for allowing him the opportunity to service as Trustee these last four years.

13. Executive Session Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to adjourn to Executive Session at 7:51pm to discuss a personnel matter.
14. Electric Mutual Aid Pay Upon return from Executive Session, motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Chamberlin and Moriarty voting yes, none opposed to authorize Mayor Krebs to sign a Memorandum of Understanding to pay the Electric Division employees double pay for mutual aid for storm pay to non-municipal electric companies as amended.
15. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Moriarty; carried, Mayor Krebs, Trustees Skelton, Moriarty, Chamberlin and Wikman voting yes, none opposed to adjourn the Regular Session at 8:16 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk