

VILLAGE OF SPRINGVILLE
2019 MINUTES

April 15, 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:

Deputy Mayor	Nils Wikman
Trustees	Alan Chamberlin Kim Pazzuti Elise Rose
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Superintendent of Public Works	Ken Kostowniak
Police Officer in Charge	Nicholas Budney
Fire Chief	Marc Gentner (excused at 7:10pm)
Deputy Clerk	Holly Murtiff
Also Attending	Max Borsuk, Springville Journal Kellen Quigley, Springville Times Officer Vincent Pupo III (excused at 7:15pm)
Absent	William Krebs, Mayor Michael Kaleta, BI/CEO

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

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

FIRE REPORT

In order for Fire Chief Gentner to attend another meeting the fire report was given at this time.

Chief Gentner reported that the annual recruitment day is on April 27th.

Chief Gentner announced that the SVFD has been awarded a \$5,000 grant for power stretcher. The Board thanked Chief Gentner for all the work he put into getting this grant.

POLICE REPORT

2. New Officer Motion was made by Trustee Chamberlin, seconded by Rose; carried, Deputy Mayor Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to approve the hiring of Officer Vincent Pupo III to the Springville Police Department as a part time Officer effective April 16, 2019. At this time Administrator Melock administered the Oath of Office to Officer Pupo.

Officer in Charge Budney took this opportunity to inform the Board on the upcoming “No Empty Chair” patrols.

PUBLIC HEARINGS

3. LL 2019-6 Deputy Mayor Wikman opened the public hearing regarding LL 2019-6 for Elm St. Healthcare Overlay District. There being no further questions or comments motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Deputy Mayor Wikman, Trustees Chamberlin, Pazzuti and Rose voting yes, none opposed to close the public hearing.
4. LL 2019-7 Deputy Mayor Wikman opened the public hearing regarding LL 2019-7 for the amendment to Sections 200-23 & 200-28C – Parking for bars & restaurants. There being no further questions or Comments motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Deputy Mayor Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to close the public hearing.

PUBLIC COMMENT

There was no public comment this evening.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

5. LL 2019-6 Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Deputy Mayor
Lead Agency Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to name the Village of Springville Village Board as the lead agency for LL 2019-6, Elm St. Healthcare Overlay District.
6. LL 2019-6 Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Deputy Mayor
SEQR/Negative Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to approve the SEQR
Declaration and declare a negative declaration for LL 2019-6, Elm St. Healthcare Overlay District.
7. LL 2019-6 Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Deputy Mayor,
Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to adopting LL 2019-6
as shown below.

Local Law No.6 of 2019 Elm St Healthcare Overlay District Modifications Village of Springville Public Hearing April 15, 2019

Amending Section 200-5, Boundaries of Districts on Zoning Map for Elm Street as indicated in the attached maps **(041519 A.1)**:

PROPOSED RE-ZONE AREA

The current property located on Elm Street, SBL No 335.16-4-31 is currently zoned as R-8.5 with a Health Care Overlay. So much of said property as its width of 189.08 ft +/- on the north boundary and with a width of 214.98 ft +/- on the south boundary and a length of 372.86 +/- on the west boundary and a length of 369.71 +/- on the east boundary shall be rezoned so as to remove the Health Care Overlay so as said property shall be zoned R-8.5 zoning without a Health Care Overlay. Zoning R-8.5 most represents the current uses in the adjacent properties would permit the frontage on Elm Street to be used consistent with current and anticipated uses permitted under R-8.5 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 R-8.5 uses as set forth above for the current property located at Elm Street, SBL No 335.16-4-31.

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

8. LL 2019-7 Motion was made by Trustee Pazzuti, seconded by Trustee Rose; carried, Deputy Mayor
Lead Agency Wikman, Trustees Pazzuti, Rose and Chamberlin voting yes, none opposed to name the Village of Springville Village Board as the lead agency for LL 2019-7, Amendment to Section 200-23 & 200-28 C, Parking for bars and restaurants.
8. LL 2019-7 Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Deputy Mayor
SEQR/Negative Wikman, Trustees Chamberlin, Pazzuti and Rose voting yes, none opposed to approve the SEQR
Declaration and declare a negative declaration for LL 2019-7, Amendment to Section 200-23 & 200-28 C, Parking for bars and restaurants.
9. LL 2019-7 Motion was made by Trustee Pazzuti, seconded by Trustee Chamberlin; carried, Deputy Mayor
Wikman, Trustees Pazzuti, Chamberlin and Rose voting yes, none opposed to adopt LL 2019-7 as shown below.

Local Law No. 7 of 2019 Village of Springville Public Hearing April 15, 2019

Amendment to Section 200-23 & 200-28 C, Parking for bars and restaurants

Amend Section 200-23 to add:

Bars, Restaurants and Banquet Hall

1 space per 3 actual seats or 1 space per each 40 square feet of possible seating area or a combination of both.

Amend Section 200-28 C to allow the Planning Board the ability to adjust parking by adding:

When circumstances occur that the requirements of this Article do not reasonably provide for parking or truck loading areas, the Planning Board, with a 4/5 vote may increase or decrease the requirements of this Article based on those circumstances.

10. Rescind Motion was made by Trustee Rose, seconded by Trustee Pazzuti; carried, Deputy Mayor
LL 2019-2 Wikman, Trustees Rose, Pazzuti and Chamberlin voting yes, none opposed to rescind Local Law 2 of 2019 Tax Cap Override. Tax Cap Override is not necessary as budget is under tax cap.
11. 2019/2020 Motion was made by Trustee Chamberlin, seconded by Trustee Rose, carried, Deputy Mayor
Budget Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to adopting the 2019/2020 budget as shown below.

VILLAGE OF SPRINGVILLE

2019-2020

	General	Water	Sewer	Electric
Appropriations	3,615,096	1,284,859	939,487	3,895,000
LESS:				
Estimated Revenue (Other Than Property taxes)	1,541,634	1,201,859	939,487	3,895,000
Total Revenues	1,541,634	1,201,859	939,487	3,895,000
Appropriated Fund	250,000	83,000		
Total Funding Sources	1,791,634	1,284,859	939,487	3,895,000

Balance of Appropriations	
To be raised by Real Estate Tax Levy	1,823,461
Tax Cap 19/20	1,823,737
Taxable Property Assessed Valuation	102,688,036
Tax Rate per \$1000	\$17.75729
Levy from 2018-2019	1,762,527
% change from 2018-2019 levy	3.46
State Aid Received (estimated) GF	
CHIPS	73,637
Mortgage Tax	38,000
Other	5,000

12. Budget Modifications Motion was made by Trustee Rose, seconded by Trustee Chamberlin; carried, Deputy Mayor Wikman, Trustees Rose, Chamberlin and Pazzuti voting yes, none opposed to approve the below budget modifications for the 18-19 budget.

Budget Transfers

Amount	From Account	To Account
General Fund		
\$ 1,799.00	1490-0410-001	1490-0220-001
\$ 2,709.00	3020-0100-001	3020-0200-001
\$ 3,553.00	3410-0440-001	3410-0430-001
\$ 47.00	3410.0460-001	3410-0430-001
\$ 4,300.00	3410-0440-001	3410-0460-001
\$ 400.00	3310-0410-001	3310-0100-001
\$ 1,000.00	3310-0410-001	3310-0100-001
\$ 15.00	3310-0410-001	3310-0120-001
\$ 16,607.00	5110-0270-001	5110-0230-001
\$ 60,512.00	5110-0410-001	5110-0440-001
\$ 2,104.00	5142-0410-001	5142-0440-001
\$ 2,930.00	5142-0270-001	5142-0230-001
\$ 84.00	5410-0100-001	5410-0110-001
\$ 4,677.00	5410-0440-001	5410-0410-001
\$ 572.00	7110-0100-001	7110-0110-001
\$ 1,318.00	7110-0240-001	7110-0241-001
\$ 22.00	7110-0420-001	7110-0410-003
\$ 354.00	8010-0400-001	8010-0410-001
\$ 103,003.00		
Water Fund		
\$ 500.00	8330-0101-001	8330-0111-001
\$ 650.00	8330-0101-001	8330-0121-001
\$ 4,740.00	8330-0441-001	8330-0271-001
\$ 3,500.00	8330-0441-001	8330-0421-001

Water Fund (cont.)

\$	4,000.00	8320-0411-001	8320-0101-001
\$	300.00	8320-0411-001	8320-0111-001
\$	13,690.00		

Sewer Fund

\$	1,540.00	8110-0101-001	8110-0441-001
\$	5,000.00	8130-0101-001	8130-0121-001
\$	5,000.00	8130-0421-001	8130-0411-001
\$	6,440.00	8130-0461-001	8130-0451-001
\$	20,000.00	8130-0101-001	8120-0101-001
\$	10,625.00	8130-0441-001	8120-0441-001
\$	1,330.00	8120-0411-001	8120-0421-001
\$	373.00	8130-0461-001	9040-0800-003
\$	50,308.00		

13. Control Center Termination Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Deputy Mayor Wikman, Trustees Chamberlin, Pazzuti and Rose voting yes, none opposed to authorize the termination of Kevin Jewett from the Control Center effective immediately.
14. Intern Motion was made by Trustee Pazzuti, seconded by Trustee Chamberlin; carried, Deputy Mayor Wikman, Trustees Pazzuti, Chamberlin and Rose voting yes, none opposed to approve unpaid Intern Matthew Warner from WD Ormsby Educational Center for the month of May to work with BI/CEO Kaleta during the hours of 8:30 am and 10:30 am.
15. Computer Scrap Motion was made by Trustee Rose, seconded by Trustee Pazzuti; carried, Deputy Mayor Wikman, Trustees Rose, Pazzuti and Chamberlin voting yes, none opposed to declaring the below list of computers as scrap and for them to be taken for disposal. All hard drives are removed.
- Village of Springville Surplus computers – Hard drives removed – to be scrapped
- 1 – Power Edge T610 – 07XGTK1
 - 1 – Dell 2000 Professional 1-2CPU – 5B6NG21
 - 1 – Dell Laptop – 9ZLSPZ1
 - 1 – Dell Optiplex 380 – CYGOGN1
 - 1 – Dell Optiplex 390 – FNHJ7V1
 - 1 – Dell Optiplex 745 – GN6LCC1
 - 1 – Gateway mini tower – FMN400C
 - 1 – Dell Power Edge 700 – 73H5W41
16. Power Stretcher Bid Ad Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Deputy Mayor Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to authorizing the advertisement for bids for the Fire Department power stretcher. Estimated cost is \$25,000 with grant funds of \$5,000. The remainder will come from the 18-19 budget.

At this time Administrator Melock informed everyone that the new speakers and microphone were installed with some funding from the JCAP grant on April 9th. The old equipment was donated to the installer for educational and learning experience on repairing equipment.

SUPERINTENDENT REPORT

Superintendent Kostowniak reported on the following;

- Sanitary sewer lining project on Waverly St.

17. GPI, Inc. Resolution Motion was made by Trustee Rose, seconded by Trustee Chamberlin; carried, Deputy Mayor Wikman, Trustees Rose, Chamberlin and Pazzuti voting yes, none opposed to recommend resolution to award GPI, INC. 8 Gibson Street, North East, PA 16428 to perform engineering design, permitting and bidding for grit removal and secondary settling tank design in the amount of \$185,000 & geotechnical test borings and Evaluation in the amount of \$30,000 per proposal dated March 5, 2019.
18. MDA Consulting Engineers, PLLC Resolution Motion was made by Trustee Pazzuti, seconded by Trustee Chamberlin; carried, Deputy Mayor Wikman, Trustees Pazzuti, Chamberlin and Rose voting yes, none opposed to award MDA Consulting Engineers, PLLC their proposal to perform engineering design services to reconstruct the concrete primary settling tanks at the WWTP in the amount of \$13,500. Services performed will include data collection, site survey, design and bid documents and attendance of all regulatory meetings.
19. Morgan Power Apparatus Motion was made by Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Deputy Mayor Wikman, Trustees Chamberlin, Pazzuti and Rose voting yes, none opposed to declare the used Morgan power apparatus Model – LH-74-R, serial no.42 spool reel, and tool box from truck #23 surplus and dispose of via scrap or on-line auction.
20. Linemen Promotion Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Deputy Mayor Wikman, Trustees Chamberlin, Rose and Pazzuti voting yes, none opposed to promote Colby Vandermeer to Lineman apprentice 3rd year effective April 19, 2019, with a new pay rate of \$26.98/ hr. per Union agreement.
21. Summer Help Motion was made by Trustee Rose, seconded by Trustee Pazzuti; carried, Deputy Mayor Wikman, Trustees Rose, Pazzuti and Chamberlin voting yes, none opposed to hire the following students for 2019 summer help in DPW @ NYS Minimum Wage Rate \$11.10

STREETS DIVISION

Collin Harrigan* 87 Elk Street Springville, NY
Miranda Richert* 326 E. Main Street Springville, NY
Hannah Adams 293 N. Cascade Drive Springville, NY
Wyatt Cudney 110 Elk Street Springville, NY

WATER/SEWER DIVISION

Alec Harrigan* 87 Elk Street Springville, NY
James Shearer* 109 Chestnut Street, Springville NY

WASTE WATER TREATMENT

Jonathan Smith* 231 E. Main Street Springville, NY

ELECTRIC DIVISION

Austin Schunke 24 North Central Ave. Springville, NY
* returning student

BUILDING INSPECTOR/CEO

BI/CEO Kaleta had no report this evening.

CONTROL CENTER

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

NEW BUSINESS

22. Lawrence's Tavern Deputy Mayor Wikman took this opportunity to present the below resolution.

**Lawrences Tavern Proclamation
Celebrating 80 years as a Neighborhood Tavern in Springville**

Whereas, Lawrences Tavern has been a popular neighborhood tavern in the Village Center of Springville since 1939 and is the oldest continuing business in Springville, and

Whereas, Lawrences Tavern holds the oldest liquor license in Erie County, and

Whereas, Lawrences Tavern has provided Springville area residents with a comfortable place to eat, drink and converse, for 80 years, and

Whereas, Lawrences Tavern was opened in 1939 when Lawrence S. Zielinski purchased the Concord House from the McAllister brothers for \$800, and rented the building at 10 N. Buffalo St from Blanch Stady for \$40 per month, and

Whereas, Lawrence S. Zielinski was motivated by the hard times of the Depression to improve his life and provide for his wife Ann his two children, and

Whereas, Lawrence purchased the building which housed the restaurant and residence when he returned from a tour of duty in France in World War II,

Whereas, in the early days of the tavern, Lawrence and Ann served soup, roast beef, roast pork, and pike fish fries in addition to beer, wine, and whiskey, and

Whereas, Lawrence R. Zielinski and his son Michael began managing the family tavern in 1996 upon the death of Lawrence S Zielinski, and

Whereas, Larry and Mike continue to give back to the community with the Lawrence Tavern Mucket Bucket Community Fund which donates thousands of dollars to youth organizations in the Springville area, and

Therefore, Let It Be Known, that on April 10, 2019, Lawrences Tavern celebrated 80 years of continued operation as a family owned neighborhood tavern in the Village of Springville

OLD BUSINESS

There was no Old Business to report this evening.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #289 through #303 total of \$308,172.23 of 2019/2020 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Chamberlin, seconded by Trustee Pazzuti carried, Deputy Mayor Wikman, Trustees Chamberlin, Pazzuti and Rose voting yes, none opposed.

CONSENT AGENDA

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

PROJECT: 0000008731 - FENCES

TYPE: FENCES

PROPERTY: 82 W MAIN ST

ISSUED DATE: 3/26/2019

ISSUED TO: B & B FENCE CO

10219 TREVETT RD

SPRINGVILLE, NY 14141

PROJECT: 0000008732 - FENCES
PROPERTY: 111 S VAUGHN ST
ISSUED DATE: 3/27/2019
ISSUED TO: SHEPARD, NICHOLAS
111 S VAUGHN ST
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000008733 - FENCES
PROPERTY: 24 PINWOOD DR
ISSUED DATE: 4/01/2019
ISSUED TO: ZAPRZAL, PAMELA
24 PINWOOD DR
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000008734 - RESIDENTIAL HOME/STRUCTURAL
PROPERTY: ELM ST
ISSUED DATE: 4/04/2019
ISSUED TO: ROTHENBERG, KENNETH
9256 MORSE ROAD
EAST CONCORD, NY 14055

TYPE: RESIDENTIAL
HOME/STRUCT

PROJECT: 0000008735 - ROOFING
PROPERTY: 93 PEARL ST
ISSUED DATE: 4/09/2019
ISSUED TO: KLAHN, COREY
10221 EDIES RD
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008736 - SIGN
PROPERTY: 23 E MAIN ST
ISSUED DATE: 4/09/2019
ISSUED TO: VOIGT, MILES
20 ROBINSON ST
SILVER CREEK, NY 14136

TYPE: HISTORIC
PRESERV REVIEW

PROJECT: 0000008737 - NON RESIDENTIAL ALTERATION
PROPERTY: 243 W MAIN ST
ISSUED DATE: 4/09/2019
ISSUED TO: STEEL BOUND BREWERY & DISTILLERY
9795 - 6600 US 219
ELLCOTTVILLE, NY 14731

TYPE: HISTORIC
PRESERV REVIEW

PROJECT: 0000008738 - ROOFING
PROPERTY: 222 N BUFFALO ST
ISSUED DATE: 4/10/2019
ISSUED TO: METLAK, MELISSA
222 N BUFFALO ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008739 - ROOFING
PROPERTY: 75 ELM ST
ISSUED DATE: 4/10/2019
ISSUED TO: SHULTZ, JAIME
75 ELM ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008740 - UTILITY CHANGES-ELECTRIC
PROPERTY: 283 NORTH ST
ISSUED DATE: 4/10/2019
ISSUED TO: GOODWIN ELECTRIC CORP
201 SOUTH YOUNGS ROAD
WILLIAMSVILLE, NY 14221

TYPE: UTILITY
CHANGES

VILLAGE ATTORNEY REPORT

Village Attorney Paul Weiss updated the Board on the following;

- The electric easement for Emerling has been filed.
- Erie County has retained outside counsel on the Scoby Dam matter.
- Weber (37 S. Central Ave.) has until the end of April to meet deadlines set out for him. This matter will be in Supreme Court on Thursday, April 18th.
- Work on continues on the following
 - 91 E. Main Street easement
 - Business Developers Agreement

TRUSTEE NOTES & PROJECT REPORTS

Trustee Chamberlin reminded everyone of the Earth Day events in Heritage Park on 4/27/19.

Trustee Pazzuti had nothing to report this evening.

Trustee Rose reminded everyone that there is a Small Business Summit with Senator Gallivan and Frank Swiatek.

Deputy Mayor Wikman wished everyone a Happy Easter.

23. Adjourn

Motion was made by Trustee Pazzuti, seconded by Trustee Rose; carried, Deputy Mayor Wikman, Trustees Pazzuti, Rose and Chamberlin voting yes, none opposed to adjourn the Regular Session at 7:39 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk