

VILLAGE OF SPRINGVILLE
2019 MINUTES

June 17, 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	Karl Simmeth, NYS Assembly Liaison Max Borsuk, Springville Journal Kellen Quigley, Springville Times Phillip Trautman Andrea Domst
Jeremy Neff Richard Knox Jackie Feggans, SPD	
Absent	Marc Gentner, Fire Chief

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

1. Minutes Minutes of the Regular Meeting of June 3, 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.

Minutes of the Executive Session of June 3, 2019 were approved as written by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed.

POLICE REPORT

Officer in Charge Budney gave his report at this time.

2. Resignation Motion was made by Trustee Pazzuti, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Pazzuti, Wikman, Chamberlin and Rose voting yes, none opposed to accept, with regrets, the resignation of Officer Josh Taylor effective July 1, 2019.

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3. New Hires 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 the below part time Officer for the Springville Police Department effective June 18, 2019.
- Feggans, Jackie
 - Krone, Robert
 - Randall, Paul

4. Amend Procedure Manual Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustee Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to amending the following procedures in the Police Manual for Procedures;

AD-5 Chain of Command
AD-28 CL Numbers
AD-29 Uniform Specs
AR-2 Arrest CL Entries
AR-3 Arrest Booking Forms
AR-7 Prisoner Transport
PT-1 Patrol Function
PT-21 Fire and EMS Calls
PT-23 Request for Mental Examination of a Person
PT-24 Drug Overdoses
PT-36 Juveniles
PT-40 Extinguished Street Lights
SU-5 Police Mountain Bike
SU-8 Drug Test Kits
SU-9 Narcan Policy
TR-1 Recruitment
TR-2 Field Training Program

5. Parking Fee Schedule Upon the recommendation of Officer in Charge Budney, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to amending the parking fee schedule as follows;

Parking ticket \$40
After 10 days \$50

PUBLIC HEARINGS

6. LL 2019-8 Section 170 Revision, Trees Mayor Krebs opened the duly advertised public hearing. The Mayor and Board discussed the proposed revisions to Sections 170 Trees. This change does have the approval of the Planning Board. There being no further questions or comments, motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Chamberlin, Rose, Pazzuti and Wikman voting yes, none opposed to close the LL 2019-8 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 adopt the revisions to LL 2019-8 as shown below.

Revise Section 170 Trees. Revise sections of code to allow for planting of trees within Village ROW. Regulate only utility friendly trees per NYPA recommended list to be planted under wires. Remove 170-6 A1, A2, A3 from code, and revise 170-6 A5 to allow utility friendly trees to be planted under wires.

Remove:

§ 170-6 General provisions.

A. Restrictions.

(1) No tree shall be planted in or on any public right-of-way or easement.

(2) No tree shall be planted closer than eight feet to any sidewalk or driveway maintained by the village.

(3) Where no sidewalk exists, no tree shall be planted any closer than 20 feet to the edge of the road pavement.

No Change, keep:

(4) *No tree shall be planted over any water, sewer, gas, electric or drainage line or system.*

Revise:

(5) No tree shall be planted under any overhead wires that is **not** classified as utility friendly by the New York Power Authority.

Basis of this request and resolution is to improve esthetic and environmental value of the Village.

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

7. LL 2019-9 Waverly St. Rezoning Mayor Krebs opened the duly advertised public hearing. The Mayor and Board discussed the proposed revisions to Sections 200-5, Boundaries of Districts on Zoning Map for Waverly Street. During discussion it was agreed that the exact location is needed before any action can be taken. Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to closing the public hearing.

PUBLIC COMMENT

There was no public comment this evening.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

8. Budget Modifications 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 the attached year end budget modifications 061719 A.1.
9. Control Center Resignations Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to accept the resignation of Alicia Ventura from the Control Center effective immediately.
- Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to accept the resignation of Randall Smith from the Control Center effective immediately.
10. Workplace Violence Policy Motion was made by Trustee Rose, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Rose, Wikman, Chamberlin and Pazzuti voting yes, none opposed to approve the attached Workplace Violence policy 061719 A.2.
11. LL 2019-10 Set Public Hearing Motion was made by Trustee Pazzuti, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Pazzuti, Chamberlin, Rose and Wikman voting yes, none opposed to setting a public hearing for LL 2019-10, modify Section 125-5C, to add language "snowmobiles on the Pop Warner Rail Trail excepted" as shown below for July 15, 2019 at 7:00 pm. Advertisement will be placed in the appropriate publication.

LL 10 of 2019 Amendments to Section 125-5 C. Adding Snowmobiles.

§ 125-5. Park and recreational facilities. [Added 10-20-2003 by L.L. No. 9-2003¹; amended by 2-6-2017 by L.L. No. 1-2017]

- A. All Village-owned park and recreation facilities, namely Fiddlers Green Park at Franklin and North Buffalo Streets, Eaton Park (the tennis courts and spray park on North Central Avenue and Franklin Street), Shuttleworth Park off South Buffalo Street between the public parking lot and Spring Brook, Heritage Park at 65 Franklin and the 1.8 mile Pop Warner Rail Trail (which is the B&P Rail Corridor within the Village limits) shall be closed to the public at times to be posted at each location, as determined by resolution of the Village Board.
- B. The period that such facilities are closed to the public may be modified by resolution of the Board of Trustees in individual cases for public or private events permitted by the Board.
- C. It shall be unlawful for any person to be in a Village park or recreation facility at any time during the period that such facility is closed to the public. Motor vehicles, snowmobiles on the Pop Warner Rail Trail excepted, shall at all times be prohibited from these locations.
- D. This section, § 125-5, shall not apply to the Village's contractors, officers or employees while engaged in the performance of their Village duties.
- E. Rules and regulations for each individual park or recreational facility may be established by resolution of the Village Board.
- F. A notice of the prohibition and rules and regulations authorized or contained in this section shall be conspicuously posted at each Village park and recreation facility.

Administrator Melock took this opportunity to mention the following;

- Recycling carts have been delivered and the first recycling pick up is 6/18/19
- Village taxes are due by July 1st to avoid penalties
- Skate Park – Tony Hawk Foundation grant to change to concrete skatepark. Kick off meeting week of July 9th.
- Reminder that the next Board meeting is July 15th.

SUPERINTENDENT REPORT

Superintendent Kostowniak reported on the following;

- Planning board re: tree code revisions. Support planting trees in ROW, would like language to be better on types of trees permitted. Would like language for resident to request not to have tree. Would like language stating property owner must have Village approval prior to planting anything in ROW.
- EC Soil & Water request assistance to install a lamprey lip in Shuttleworth Park / Spring Brook spillway. Plans and schedule in progress.
- Planted ~16 trees donated by Schichtel's in Shuttleworth and Heritage parks.
- Peerless WinSmith purchased signage to direct truck traffic to their Franklin Street entrance (to keep off of Eaton Street) in response to notice letter. Village will install in ROW, 3 locations – North bound on N Central, South bound on N Central and South bound on Franklin Street.
- Electric Division had to have an outage June 13th from 10 to 1pm on Mill Street for ~3 hours to perform system upgrades. Customers affected from White Street to Cattaraugus.

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- Sidewalk adjacent to trickling filter has been replaced in response to NYDEC annual spring inspection.
 - Hydrant replacement in Shuttleworth Park will start on or around June 24th. Project duration is approx. 2 weeks. Contractor will install new hydrant and connection to Pearl first, then perform abandonment in NYS 39 ROW.
 - United Survey Inc. is back to complete manhole rehabilitation project.
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12. WWTP Pump Surplus After explanation by Superintendent Kostowniak, motion was made Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to declare a Carter Sludge pump, model 800, serial no. 100820, 112 GPM, dual piston pump surplus and disposed of by recycling/scrap.
13. Water/Sewer Pole barn Bid After discussion, motion was made by Trustee Wikman, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Wikman, Rose, Chamberlin and Pazzuti voting yes, none opposed to re-bid Water Sewer division pole barn pending approval from the Village Attorney and Administrator. Base bid package will be for building, Alternate 1 will be electric service, Alt 2- will be spray foam insulation, alt 3 - concrete floor, alternate 4 - gas line and heater. Public bid opening will be August 1, 2019 2pm.

FIRE DEPARTMENT

There was no fire report this evening.

BUILDING INSPECTOR/CEO

BI/CEO Kaleta discussed with the Board possible changes to Chapter 145 – Solid Waste. After further discussion it was agreed that BI/CEO Kaleta and Village Attorney will look into other municipalities practice. BI/CEO Kaleta will also look into whether or not the use of the new recycling totes requires a modification of the Village Code.

CONTROL CENTER

14. Afternoon Shift Motion was made by Trustee Chamberlin, seconded by Trustee Rose; carried, Mayor Krebs, Trustees Chamberlin, Rose, Pazzuti and Wikman voting yes, none opposed to approving the hiring of Michael Cochran to the position of permanent part-time dispatcher for the afternoon shift in the Control Center effective June 17, 2019.

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

NEW BUSINESS

15. Winter Sewer Forgiveness After explanation by Deputy Clerk Holly Murtiff, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman, Chamberlin, Pazzuti and Rose voting yes, none opposed to granting a \$30 sewer forgiveness to account 06-8520-01. There was a recent water lead and the owners, Shannon and Clint Winter, followed all protocol in order to be granted this credit to their account.

OLD BUSINESS

16. Interm Right of Entry For Rail Trail After discussion, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to approve the 90 Right of Entry agreement below additionally Village Attorney Paul Weiss will draft a further agreement with the ECRT and/or BPRR.

BE IT RESOLVED, that the Mayor is hereby authorized to sign an interim right of entry agreement with ECRT and/or BPRR for the Village to maintain the Pop Warner Trail, said agreement not to exceed 90 days, consistent with and similar to the right of entry agreement between the BPRR and the Village dated October 27, 2015.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #10 through #23 total of \$256,835.18 of 2019/2020 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Chamberlin, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Rose and Wikman voting yes, none opposed.

CONSENT AGENDA

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

PROJECT: 0000008811 - ROOFING
PROPERTY: 56 CHILDS ST
ISSUED DATE: 5/30/2019
ISSUED TO: RANDALL, RICHARD J
56 CHILDS ST.
SPRINGVILLE, NY 14141
TYPE: ROOF

PROJECT: 0000008812 - EVENT-ALL CLASS REUNION
PROPERTY: 70 NASON BLVD
ISSUED DATE: 5/30/2019
ISSUED TO: SGI ALL CLASS REUNION
PO BOX 104
SPRINGVILLE, NY 14141
TYPE: EVENT

PROJECT: 0000008813 - NONRESIDENTIAL DEMO
PROPERTY: 210 E MAIN ST
ISSUED DATE: 5/30/2019
ISSUED TO: RP OAK HILL
3669 LAKESHORE ROAD, SUITE 620
BUFFALO, NY 14219-0000
TYPE:
NONRESIDENTIAL
DEMO

PROJECT: 0000008814 - GARAGE SALE
PROPERTY: 202 WAVERLY ST
ISSUED DATE: 5/31/2019
ISSUED TO: HITCHCOCK, BRUCE III
202 WAVERLY ST
SPRINGVILLE, NY 14141
TYPE: GARAGE
SALES

PROJECT: 0000008815 - SHEDS, UP TO 144 SQ.FT.
PROPERTY: 25 N EDGEWOOD DR
ISSUED DATE: 5/31/2019
ISSUED TO: WATZ, MARGARET
25 N EDGEWOOD DR
SPRINGVILLE, NY 14141
TYPE: SHEDS

PROJECT: 0000008816 - FIRE INSPECTION
PROPERTY: 27 FRANKLIN ST 9
ISSUED DATE: 5/31/2019
ISSUED TO: GET IT RIGHT TAX SERVICES
27 FRANKLIN ST., #9
SPRINGVILLE, NY 14141

TYPE: FIRE
INSPECTION

PROJECT: 0000008817 - LICENSES-FOOD TRUCK VENDOR
PROPERTY: 127 MAPLE AVE
ISSUED DATE: 5/31/2019
ISSUED TO: JAKE AND THE FATMAN BBQ
127 MAPLE AVE
SPRINGVILLE, NY 14141

TYPE: LICENSES

PROJECT: 0000008818 - DRIVEWAY
PROPERTY: 34 SPRING ST
ISSUED DATE: 6/03/2019
ISSUED TO: RANDOLPH, KIMBERLY
34 SPRING ST
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

PROJECT: 0000008819 - UTILITY CHANGES-PLUMBING
PROPERTY: 54 FRANKLIN ST
ISSUED DATE: 6/03/2019
ISSUED TO: CUTTING EDGE CABINETS
54 FRANKLIN ST
SPRINGVILLE, NY 14141

TYPE: UTILITY
CHANGES

PROJECT: 0000008820 - SHEDS, UP TO 144 SQ.FT.
PROPERTY: 25 WOODHAVEN DR
ISSUED DATE: 6/05/2019
ISSUED TO: SIKORSKYJ, JERRY & LUCILLE
25 WOODHAVEN DR
SPRINGVILLE, NY 14141

TYPE: SHEDS

PROJECT: 0000008821 - VIOLATION-TRASH
PROPERTY: 15 MECHANIC ST UP
ISSUED DATE: 6/06/2019
ISSUED TO: WRIGHT, HEIDI
15 MECHANIC ST
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000008822 - VIOLATION-GRASS
PROPERTY: 5 PROSPECT AVE
ISSUED DATE: 6/06/2019
ISSUED TO: DOWNING, JASON
5 PROSPECT AVE
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000008823 - ROOFING
PROPERTY: 21-25 RACHEL LANE
ISSUED DATE: 6/07/2019
ISSUED TO: SAHLEMS ROOFING AND SIDING
2260 SOUTHWESTERN BLVD
WEST SENECA, NY 14224

TYPE: ROOF

PROJECT: 0000008824 - EVENT
PROPERTY: 37 N BUFFALO ST
ISSUED DATE: 6/07/2019
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
37 N BUFFALO ST
PO BOX 62
SPRINGVILLE, NY 14141

TYPE: EVENT

PROJECT: 0000008825 - VIOLATION-GRASS
PROPERTY: 112 SMITH ST
ISSUED DATE: 6/07/2019
ISSUED TO: EVANS, GREGORY
9132 NORTH ST.
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000008826 - ROOFING
PROPERTY: 23 RACHEL LN
ISSUED DATE: 6/10/2019
ISSUED TO: SAHLEMS ROOFING AND SIDING
2260 SOUTHWESTERN BLVD
WEST SENECA, NY 14224

TYPE: ROOF

PROJECT: 0000008827 - ROOFING
PROPERTY: 25 RACHEL LN
ISSUED DATE: 6/10/2019
ISSUED TO: SAHLEMS ROOFING AND SIDING
2260 SOUTHWESTERN BLVD
WEST SENECA, NY 14224

TYPE: ROOF

PROJECT: 0000008828 - UTILITY CHANGES-PLUMBING
PROPERTY: 117 CATTARAUGUS ST
ISSUED DATE: 6/11/2019
ISSUED TO: FELDMAN, CHARLES E
117 CATTARAUGUS ST
SPRINGVILLE, NY 14141

TYPE: PLUMBING

PROJECT: 0000008829 - FENCES
PROPERTY: 22 S BUFFALO ST
ISSUED DATE: 6/11/2019
ISSUED TO: 22 S BUFFALO ST LLC
22 S BUFFALO ST
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000008830 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 526 E MAIN ST
ISSUED DATE: 6/13/2019
ISSUED TO: GUNTRUM, RUSSELL D
526 E MAIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000008831 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 9141 CATTARAUGUS ST
ISSUED DATE: 6/13/2019
ISSUED TO: MCDERMOTT, THOMAS
9141 CATTARAUGUS ST
SPRINGVILLE, NY 14141

VILLAGE ATTORNEY REPORT

Village Attorney Paul Weiss thanked his intern Jonah Weiss for his assistance while he was out especially on the Tree Code revisions.

TRUSTEE NOTES & PROJECT REPORTS

None of the Trustees or the Mayor had anything additional to report this evening.

17. Adjourn Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Pazzuti, Wikman and Rose voting yes, none opposed to adjourn the Regular Session at 8:25 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk