

VILLAGE OF SPRINGVILLE  
2018 MINUTES

June 18, 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 Chamberlin Kim Pazzuti Elise Rose Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Superintendent of Public Works	Kenneth W. Kostowniak
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Police Officer in Charge	Nicholas Budney
Fire Chief	David Klenk
Deputy Clerk	Holly Murtiff
Also Attending	Colleen Mahoney, Springville Journal Rich Place, Springville Times
Bill Gugino, The Club	Steven Weber, owner of 37 N. Central Ave.
Arnaldo Petrilli Jr.	Mary Weber
Wende Pukay, SYI	Karen Howard, Senator Gallivan's Office

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

1. Minutes Minutes of the Regular Meeting of June 4, 2018 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman and Rose voting yes, none opposed.

Executive Session Minutes of June 4, 2018 were approved as written by Trustee Wikman, seconded by Trustee Chamberlin; carried Mayor Krebs, Trustees Wikman, Chamberlin and Rose, voting yes, none opposed.

**PUBLIC HEARING**

2. 37 S. Central Mayor Krebs opened the duly advertised public hearing regarding 37 S. Central Avenue. Steven Weber addressed the Mayor and Board regarding his property at 37 S. Central Ave. Mr. Weber gave multiple excuses on why he could not attend to his property at 37 S. Central. They included Calcium drain that caused his back to break, chemicals at a job made him sick, winter weather, past remodeling that was started in the structure caused some of the damage, contractor hired last year has dementia, Mr. Weber was in a car accident and work on other property in Gaslight Village in Wyoming County.

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Mr. Weber stated the building will be repaired and introduced his engineer, AJ Petrilli Jr. which he has known for a year. Mr. Petrilli worked on property in Rochester this past year per Mr. Weber. Mr. Petrilli Jr. is a Structural Engineer with Petrilli Engineering. Mr. Petrilli walked through the property with Mr. Weber just prior to this evening's Board meeting. Mr. Petrilli stated that he felt the property could be saved but needed immediate "shoring up" of the outside wall. Mr. Weber expressed his desire to get the power turned back on. DPW Superintendent Ken Kostowniak explained the items in his letter from Ken need to be addressed before power will be turned back on. Mr. Weber said he did not receive a letter. Mayor Krebs explained that 37 S. Central is an extremely distressed property that is ready to be demolished. Mayor read the timeline of notices sent to Mr. Weber since spring 2011, which he has done nothing with. Mayor was upset that Mr. Weber waits until the day of the hearing to determine if his property at 37 S. Central should be demolished to come to the village without a plan, drawings or any contracts in place. Trustee Chamberlin asked Mr. Weber what his time frame was to fix the 9 issues cited in the May 8, 2018 Notice to Remedy. Mr. Petrilli stated it would take months to get plans in place. Mr. Weber stated he would put a new roof on and supports. Trustee Chamberlin wanted an answer from Mr. Weber on why 37 S. Central should not be taken down since it is an eyesore and has been for a very long time. Mr. Weber was asked by the Mayor when he started remodeling and he was unsure. After further discussion the conclusion was the property started to deteriorate and has been in need of repair starting in the 1980's and then nothing happened. Deputy Mayor Nils Wikman lived next door to the property until 1997 and there was never anything done to the property except the lawn being mowed. Never any tenants or paint or windows being addressed. Deputy Mayor wanted to know why we would believe Mr. Weber that this property would ever be addressed. Trustee Chamberlin wanted to know what the estimated cost of repairs were. Estimate given was \$30-40 thousand to put new roof on and substantial work to left side of property. Engineer stated that would be for a new roof and rafter replacement. Trustee Chamberlin pressed the timeline again since it is almost July and Mr. Weber still needs engineering drawings along with a contractor. Neither of these items is set up yet. Mr. Weber said the plans are in his head and he wants to make things right. Trustee Rose asked if the basement is dry. Mr. Weber stated there is water in there now since there is no power. Deputy Mayor said for at least 21 years that he knows of nothing has been done to this property and the cost would be well over \$100,000. Village Attorney Paul Weiss explained that Mr. Weber was noticed to court multiple times and did not appear each time. Mr. Weber said he was in a car accident. Attorney Weiss said that the court received one doctor note allowing Mr. Weber to miss court for one time since December 2017. Attorney Weiss also stated that Mr. Weber chose to work on properties in Rochester instead of his property here in Springville. Mayor and board was upset and outraged that Mr. Weber comes to this very important hearing asking for more time when he has not complied with the notices to remedy his property at 37 S. Central for many years. Mr. Weber has put the board in a difficult situation as this property is not safe. Discussion by the board on conditions to keep the structure from being voted on to demolish tonight.

Fire Chief Dave Klenk addressed the Board with his concerns for the SVFD firefighters should any emergency ever happen at 37 S. Central Ave. Fire Chief is appalled that this has taken so long to get to this point.

At 7:50 pm the Mayor and Board closed the Public Hearing and discussed the matter at hand. All Board members and Village Attorney Paul Weiss discussed the property.

On a motion by Trustee Chamberlin seconded by Deputy Mayor Wikman the following resolution was approved on June 18, 2018:

Whereas a public hearing was held on June 18, 2018 in regards to the current status of the property at 37 S. Central owned by Steven Weber,

Whereas Steven Weber was given an opportunity to speak in regards to his property at 37 S. Central as per Chapter 77 Buildings, Unsafe of the Village of Springville building code,

Whereas the Board of Trustees has determined that the buildings are unsafe (house and garage) as per the reports of the Village of Springville Code Enforcement Officer and the Engineering Report from Encorus Group dated April 30, 2018,

Now Therefore Be It Resolved, the Village Mayor and Board of Trustees recommends the structures be demolished and all costs associated with the demolition be levied on the property.

Unless, on the condition that the owner provides to the satisfaction of the Village a Performance Bond of no less than sixty thousand dollars (\$60,000) within seven days from June 18, 2018 along with an engineering statement by a certified engineer that 37 S. Central can be made safe within fourteen days from June 18, 2018, plans for the repairs are due to the village code enforcement officer by fourteen days from June 18, 2018 and all of the items addressed in the Notice of Remedy dated May 8, 2018 from the Village of Springville be completed by September 1, 2018. Fences and barriers shall be placed on the property to secure the site and protect the public. The owner will comply with Village Code Section 77-3 requiring tenants in building by October 1, 2018 and other such other necessary requirements as set by the village. Failure to meet any of these deadlines will result in forfeiture of the performance bond to the Village and the demolition of the structures on said property.

Mayor Bill Krebs – Yes  
Deputy Mayor Nils Wikman – Yes  
Trustee Alan Chamberlin – Yes  
Trustee Elise Rose – Yes  
Trustee Kim Pazzuti – Yes

#### **PUBLIC COMMENT**

Bill Gugino, The Club, explained the changes to the Boys & Girls Club and SYI and their merger into “The Club”.

#### **DEPARTMENT REPORTS**

#### **ADMINISTRATOR REPORT**

3. Budget Adjustments After explanation by Administrator Melock, 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 final year end budget adjustments in 061818 A.1; 061818 A.2; 061818 A.3; 061818 A.4
4. BENLIC Correcting Petition 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 correcting petition removing the 18/19 Village of Springville taxes (\$887.12) from 336.09-1-14 which is owned by BENLIC who are not able to be charged property taxes.

At this time Administrator Melock informed the Mayor and Board of the following;

- Preliminary audit is scheduled for June 28<sup>th</sup> and the regular annual audit will be the week of July 16<sup>th</sup>.
- Erie County Probation has submitted a request to use the conference room at 65 Franklin 9 am – 5 pm when no one is in the building other than dispatch. All agreed that this request cannot be granted and other times should be scheduled by the probation officer.
- Taxes are due by July 2<sup>nd</sup> without penalty.

#### **SUPERINTENDENT REPORT**

Superintendent Kostowniak reported on the following;

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- Milling and paving of Franklin and Church Street will start the week of 6/25/18 weather permitting.
  - Chipping of streets is scheduled sometime week of 6/25/18 also. Streets to be chipped are: Commerce, Forest, Elk, Childs, Smith, Depot, East Hill Run, and Chapel.
  - Mill St storm drainage shared service agreement was approved by Erie County Legislature (6-0 passed). Village is expected to start installation of storm sewer in July.
  - CATT county DPW road closure
  - United Survey will begin televising sanitary sewers mid-July. This is the pre-cctv'ing to determine and confirm lining areas. Preliminary estimate will be ~\$461,610.00 for televising, lining sewer mains and re-instating laterals.
5. Exhaust Removal System Bid Request Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, to approve advertising a bid request for materials and service to install exhaust removal system at 30 Nason Boulevard as stated in the adopted 2018-19 General Fund.
6. Blazer Surplus/ Auction 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 #40 2004 Chevrolet Blazer Vin # 1GNDDT13X74K161941 surplus and dispose of via on-line auction.
7. Utility Tractor Surplus/ Trade In Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to declaring #31 2010 Kabota L3700SU utility tractor surplus and dispose of via trade in for purchase of new and unused utility tractor as per adopted 2018-19 General Fund.
8. Water Division Truck Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin, Wikman, Pazzuti and Rose voting yes, none opposed to advertising for a new and unused 1 ton cab & chassis, utility body and plow assembly as adopted in the 2018-19 Water Budget.
9. Rotating Trickling Filter Distributor 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 advertisement for a new and unused rotating trickling filter distributor for the waste water treatment plant. The replacement project will be part of the WWTP upgrade requested by the NYDEC, award will be made in conjunction with bonding approval mid-July.

#### **POLICE DEPARTMENT**

Officer in Charge Budney had nothing to report this evening.

#### **FIRE REPORT**

Chief Klenk gave a report on the following;

- Calls
- Equipment
- Training
- Events

#### **BUILDING INSPECTOR/CEO**

BI/CEO Kaleta reported on the ravine on Chestnut Street.



PROJECT: 0000008480 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 119 WOODWARD AVE  
ISSUED DATE: 6/01/2018  
ISSUED TO: WITTMAN, CHRISTINA  
119 WOODWARD AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000008481 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 125 WOODWARD AVE UPR  
ISSUED DATE: 6/01/2018  
ISSUED TO: ARMES, DENNIS  
P.O. BOX 452  
SPRINGVILLE, NY 14141

PROJECT: 0000008482 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 118 PEARL ST  
ISSUED DATE: 6/01/2018  
ISSUED TO: KRAFT, JUSTIN  
71 MILL ST  
SPRINGVILLE, NY 14141

PROJECT: 0000008483 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 26 S EDGEWOOD DR  
ISSUED DATE: 6/01/2018  
ISSUED TO: MUTTON, JENNIFER  
26 S EDGEWOOD DR  
SPRINGVILLE, NY 14141

PROJECT: 0000008484 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: W MAIN ST  
ISSUED DATE: 6/01/2018  
ISSUED TO: HORD  
243 W. MAIN ST  
SUITE 6  
SPRINGVILLE, NY 14141

PROJECT: 0000008485 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 298 S CASCADE DR  
ISSUED DATE: 6/01/2018  
ISSUED TO: ZHANG SPRINGVILLE PROPERTIES  
298 S CASCADE DR  
SPRINGVILLE, NY 14141

PROJECT: 0000008486 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 39 MAPLE AVE  
ISSUED DATE: 6/01/2018  
ISSUED TO: KACZMARK, ROBERT  
10430 STATE ROAD  
GLENWOOD, NY 14069

PROJECT: 0000008487 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 155 EAST HILL RUN  
ISSUED DATE: 6/01/2018  
ISSUED TO: B&B HOMES INC  
14220 RT 219  
SPRINGVILLE, NY 14141-9740

PROJECT: 0000008488 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 362 E MAIN ST  
ISSUED DATE: 6/01/2018  
ISSUED TO: PETROSEWITZ, DAVID  
711 KAHKWA BLVD  
ERIE, PA 16505

PROJECT: 0000008489 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 46 WOODWARD AVE  
ISSUED DATE: 6/01/2018  
ISSUED TO: ISAMAN, JUSTIN  
46 WOODWARD AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000008490 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 16 MILL ST  
ISSUED DATE: 6/01/2018  
ISSUED TO: REGAN, C MURRAY  
27 S BUFFALO ST  
SPRINGVILLE, NY 14141

PROJECT: 0000008491 - ROOFING TYPE: ROOF  
PROPERTY: 92 ELK ST  
ISSUED DATE: 6/04/2018  
ISSUED TO: KELLEY, LAURA  
92 ELK ST  
SPRINGVILLE, NY 14141

PROJECT: 0000008492 - DRIVEWAY TYPE: DRIVEWAY  
PROPERTY: 145 PEARL ST  
ISSUED DATE: 6/05/2018  
ISSUED TO: JOZWIAK, CLIFFORD J  
145 PEARL ST  
SPRINGVILLE, NY 14141

PROJECT: 0000008493 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 104 SMITH ST  
ISSUED DATE: 6/05/2018  
ISSUED TO: CLARKSON, DANIELLE  
104 SMITH ST  
SPRINGVILLE, NY 14141

PROJECT: 0000008494 - SHEDS, UP TO 144 SQ.FT. TYPE: SHEDS  
PROPERTY: 145 WAVERLY ST  
ISSUED DATE: 6/05/2018  
ISSUED TO: GANSCHOW, GARY  
P.O. BOX 138  
SPRINGVILLE, NY 14141

PROJECT: 0000008495 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 192 WOODWARD AVE  
ISSUED DATE: 6/05/2018  
ISSUED TO: PIRDY, ADAM  
192 WOODWARD AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000008496 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 159 WAVERLY ST  
ISSUED DATE: 6/05/2018  
ISSUED TO: PORTERFIELD, JOHN  
159 WAVERLY ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000008497 - GARAGE SALE TYPE: GARAGE SALES  
PROPERTY: 265 W MAIN ST UPR  
ISSUED DATE: 6/05/2018  
ISSUED TO: STOWELL, DANNY  
265 W MAIN ST UPR  
SPRINGVILLE, NY 14141

PROJECT: 0000008498 - ACCESSORY BUILDING TYPE: ACCESSORY  
PROPERTY: 83 S CENTRAL AVE BUILDINGS  
ISSUED DATE: 6/06/2018  
ISSUED TO: STETLER, CARRIE  
83 S CENTRAL AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000008499 - ROOFING TYPE: ROOF  
PROPERTY: 42 S CENTRAL AVE  
ISSUED DATE: 6/06/2018  
ISSUED TO: HILL, CHERYL  
P.O. BOX 268  
SARDINIA, NY 14134

PROJECT: 0000008500 - DECKS TYPE: DECKS  
PROPERTY: 41 WOODHAVEN DR  
ISSUED DATE: 6/07/2018  
ISSUED TO: MOORE, BRADLEY  
41 WOODHAVEN DR  
SPRINGVILLE, NY 14141

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PROJECT: 000008501 - DECKS  
PROPERTY: 108 NEWMAN ST  
ISSUED DATE: 6/12/2018  
ISSUED TO: BEYETTE, PETERSON T  
12764 VAUGHN ST  
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 000008502 - ACCESSORY BUILDING  
PROPERTY: 125 CLARK ST  
ISSUED DATE: 6/12/2018  
ISSUED TO: DEWITT, GERALD B-CYNTHI  
125 CLARK ST  
SPRINGVILLE, NY 14141

TYPE: ACCESSORY BUILDINGS

PROJECT: 000008503 - VIOLATION-GRASS  
PROPERTY: 104 MAPLE AVE  
ISSUED DATE: 6/12/2018  
ISSUED TO: EVERTS, MAISIE  
104 MAPLE AVE  
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 000008504 - LICENSES-CHICKEN  
PROPERTY: 175 E MAIN ST  
ISSUED DATE: 6/12/2018  
ISSUED TO: SEILER, JASON  
175 E MAIN ST  
SPRINGVILLE, NY 14141

TYPE: LICENSES

#### **TRUSTEE NOTES & PROJECT REPORTS**

Trustee Rose had nothing to report.

Trustee Wikman asked about the status of limb and brush removal as he has noticed quite a bit throughout the Village.

Trustee Chamberlin had nothing to report.

Trustee Pazzuti commented on her evening and introduction of the band at the Concert in the Park.

Mayor Krebs commented on the following;

- Spray park is open
- Paving is underway
- Concerts are underway
- A wedding recently took place in the gazebo in Heritage Park
- Thanks to everyone's input in the public hearing this evening on 37 S. Central Ave.

#### 10. Adjourn

Motion was made by Trustee Rose, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Rose, Chamberlin, Wikman and Pazzuti voting yes, none opposed to adjourn the Regular Session at 8:45 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk