

VILLAGE OF SPRINGVILLE
2017 MINUTES

July 10, 2017

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 Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Superintendent of Public Works	Kenneth W. Kostowniak
Fire Chief	David Klenk (out at 7:20)
Building Inspector/ Code Enforcement	Michael Kaleta
Deputy Clerk	Holly Murtiff
Absent	Robert J. Moriarty Jr., Trustee Terry W. Skelton, Trustee Nicholas Budney, Officer in Charge
Also Attending	Colleen Mahoney, Springville Journal Derek Otto, Springville Times E. Seth Wochensky, SCA (7:12 – 7:30)

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

1. Minutes Minutes of the Regular Meeting of June 19, 2017 were approved as written by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed.

Minutes of the Executive Session Meeting of June 19, 2017 were approved as written by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman and Chamberlin voting yes, none opposed.

PUBLIC COMMENT

There was no public comment this evening.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

2. Budget Modifications After explanation, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to approving the below budget modifications.

Budget Transfers
General Fund

7/10/2017

Amount	From Account	To Account
\$ 50.00	1490.4100	1490.0460
\$ 200.00	1490.4100	1620.0400
\$ 1,200.00	3310.0120	3310.0410
\$ 400.00	5110.0460	5110.0410
\$ 300.00	7110.0440	7110.0410
\$ 20.00	8510.0100	8510.0410

Sewer

\$ 750.00	003-5-8120-0421	003-5-8120-0411
\$ 500.00	003-5-8130-0421	003-5-8130-0411
\$ 3,420.00	To Balance Accounts	

3. CDBG Bid Ad Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to approving the below ad be published in the Springville Journal

NOTICE TO BIDDERS

Sealed bids for Water Main Replacement Project, Franklin and Church Streets, Village of Springville, New York will be received at the Village Office, 5 West Main Street, Springville, New York, 14141, on or before 1:45 P.M. local time on Monday August 7, 2017, they will be opened and read aloud at 2:00 P.M. at 5 West Main Street, Springville, NY.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the office of the Engineer, KHEOPS Architecture, Engineering & Surveying DPC, 300 Pearl Street, Buffalo, NY 14202. Copies may be secured from KHEOPS upon payment of \$50.00 per set of documents which shall be in the form of two (2) checks each for one-half of the deposit. Checks shall be made payable to the Village of Springville. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within thirty (30) days following the award of the contract.

This contract will be funded wholly or partially with federal funds, and as such, is subject to all federal rules and regulations pertinent thereto, including, but not limited to, federal policy of encouraging the participation of minority and women business enterprises as sources of suppliers, equipment, construction and services.

The Village of Springville is an exempt organization under the Tax law and is exempt from payment of Sales and Compensating Use Taxes on materials which are to be incorporated into the project and which are to be separately sold by the Contractor to the Owner prior to incorporation into the project, pursuant to the provisions of the Contract. These taxes are not to be included in the bid.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the order of the Village of Springville, for a sum equal to five percent (5%) of the total amount of the bid, or a bond with sufficient sureties in a penal sum equal to five percent (5%) of such total bid amount, conditioned that if the proposal is accepted, the successful bidder will enter into a contract for the work, and that he will execute within fifteen

(15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the contract, conditioned for the faithful and prompt performance and completion of the work specified in the contract.

All deposits except that of the successful bidder will be returned.

Upon acceptance of his bid, if the successful bidder fails to enter into a contract pursuant to the requirements of the Board, or fails to give the further security prescribed in this notice, with the item limited therein, then the check deposited as aforesaid and the moneys standing to the credit of the same, shall be forfeited to the Village as liquidated damages, or the payment of the bond enforced for the benefit of the Village. The Village of Springville reserves the right to waive informalities in or to reject any and all bids.

Attention of the bidders is particularly called to the requirements as to the conditions of employment to be observed and minimum wage rates to be paid under the Contract.

4. TAP
Grant
Contract

After explanation by Administrator Melock, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to approving and authorizing Mayor Krebs signing the below resolution.

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Village of Springville (TAP), Bike-Walk Enhancements, P.I.N. 576229 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the Village of Springville desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering (Design) of said project.

NOW, THEREFORE, the Board of Trustees of the Village of Springville, duly convened does hereby

RESOLVED, that the Village Board hereby approves the above-subject project at a total cost of \$603,862; and it is hereby further

RESOLVED, that the Village Board hereby authorizes the Administrator of the village to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering Design fee in the amount of \$67,446 for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$120,772 is hereby appropriated from the General Fund Unappropriated Fund Balance for expenses appropriated pursuant to the Bike-Walk Project and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Administrator thereof, and it is further

RESOLVED, that the Mayor of the Village of Springville be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Springville with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

5. PT Caretaker Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman and Chamberlin voting yes, none opposed to accepting the resignation of Lester Dunn, Part Time Caretaker. The vacant position has been advertised in the local paper.
6. Correcting Tax Petitions After explanation by Administrator Melock, motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman and Chamberlin voting yes, none opposed to approving the below correcting petitions for the 17/18 Village taxes.
1. SBL # 347.08-1-50 (147 Cattaraugus St) had \$125 relieved on it for a permit fee in error. Approval to remove the \$125 permit fee.
 2. SBL # 335.16-1-52.1 (109 N. Buffalo St) per Article 7 tax assessment reduced. Approval to adjust tax bill by a reduction of \$137.65.
7. Village-wide Garage sale Motion was made by Trustee Wikman, seconded by Trustee Chamberlin; carried, Mayor Krebs, Trustees Wikman and Chamberlin voting yes, none opposed to approving the request of the Trading Post for a village wide garage sale on August 2 – 5. Permit application will be taken and compiled by the Trading Post. There will be no garage sale fee for this event.

SUPERINTENDENT REPORT

Superintendent Kostowniak took a moment to update everyone on the following;

- Oil and chipping scheduled for 7/11 – 7/12. The streets that will be resurfaced are: Franklin (Spray Park to N. Cascade), Woodward, Chestnut, Eaton, Mill St. extension, Greenwood, Nason, Ohio, Park, Pearl, Pinewood, Spas, Woodland Heights, Woodhaven, White and Cochran.
- Franklin Street repair.
- Heritage Park
 - Restroom building has been installed, DPW is completing service connections. Restroom will be open to the public in a few weeks. The restroom will have a magnetic locking system to only allow access from 7 a.m. to 9 p.m. Surveillance cameras mounted on the Public Safety Building will provide additional security of the park.

8. New Summer Hire Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to approving the hiring of Miranda Richert.

Miranda will be working in the Streets Division and will start on July 11th at a rate of \$9.75/hour. Miranda will start at 19 hours a week and then will work 40 hours per week to replace an existing summer hire on 7/31/17.

POLICE DEPARTMENT

In the absence of Officer in Charge Budney, Administrator Melock gave the June 2017 activity report.

8. Officer
Hiring

Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to Officer in Charge Budney hiring an eleventh part-time officer. There will be no increase in hours or additional payroll dollars for the department. This additional officer will add flexibility to the schedule.

FIRE REPORT

Chief Klenk updated everyone on the following;

- Equipment update
- Training
- Events
- DEC grant award application is being worked on.

BUILDING INSPECTOR/CEO

BI/CEO Kaleta informed everyone that 110 S. Central Ave. has been demolished.

CONTROL CENTER

Control Center June 2017 report received and filed.

OLD BUSINESS

There was no Old Business to discuss this evening.

NEW BUSINESS

9. SCA
Resolutions

After explanation by E. Seth Wochensky, Executive Director of Springville Center for the Arts, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to support the below resolution.

Springville Center for the Arts is requesting acquisition funding from NY Parks to purchase the former Baptist Parsonage at 29 N Buffalo Street. The ultimate goal is to utilize the property to house visiting artists and create a robust artist residency program in the community. Acquisition of the property is also needed to construct an accessible entrance on the side of the church building. This language is specifically required by NYS Parks in a resolution by the governing municipality.

WHEREAS, the Springville Center for the Arts, Inc. is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund to be located at 29 North Buffalo Street, a site located within the territorial jurisdiction of the Trustees of the Village of Springville; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved that the Board of Trustees of The Village of Springville hereby do approve and endorse the application of Springville Center for the Arts, Inc. for a grant under the Environmental Protection Fund known as The Arts Parsonage Acquisition and located within this community.

After explanation by E. Seth Wochensky, Executive Director of Springville Center for the Arts, motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to support the below resolution.

Springville Center for the Arts is requesting funding from New York State Council on the Arts to support the next phase of renovations to the church building. This work includes renovations to the theater and the construction of an accessible entrance addition. The grant program is called Cultural Facilities Improvement Program and is open only to not for profit arts organizations. A resolution is not required but the more we can show community support the better.

WHEREAS, the Springville Center for the Arts, Inc. is applying to the New York State Council on the Arts for a grant under the Cultural Facilities Improvement Program to improve the theater and entrance at 37 North Buffalo Street; and,

WHEREAS, The Village of Springville is identified as a cultural center in the Village Master Plan and Springville Center for the Arts is identified as a major cultural asset; and the Master Plan lists a goal of continued cooperation with Springville Center for the Arts' renovations and programs; and,

WHEREAS, The Village of Springville has established a Historic Preservation District and Springville Center for the Arts' facility at the former Baptist Church is within that district and listed on the National Register of Historic Places and continued improvements to historic assets are inline with the Village Master Plan; and,

WHEREAS, Springville Center for the Arts' planned renovations to the theater and entrance of their facility at 37 North Buffalo Street will greatly enhance the facility, making it a more attractive cultural destination while preserving a historic structure.

THEREFORE, The Board of Trustees of the Village of Springville endorses this application by Springville Center for the Arts, Inc. to New York State Council on the Arts and the Center's ongoing effort to transform their facility into an accessible and attractive multi-arts location.

10. Zoning
Board
Resignation

Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to accepting, with regret, the resignation of Dave Guadagna from the Zoning Board of Appeals. There are now two vacancies on the Zoning Board.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #23 through #37 total of \$210,829.10 of 2017/2018 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed.

CONSENT AGENDA

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

PROJECT: 0000008139 - FIRE INSPECTION
PROPERTY: 500 S CASCADE DR 1
ISSUED DATE: 6/15/2017
ISSUED TO: ROLOC CORP
500 S CASCADE DR HM
SPRINGVILLE, NY 14141

TYPE: FIRE INSPECTION
ASSEMBLY

PROJECT: 0000008140 - VIOLATION
PROPERTY: 73 CHESTNUT ST
ISSUED DATE: 6/15/2017
ISSUED TO: ROTH, LEATTA
73 CHESTNUT ST.
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000008141 - DECKS
PROPERTY: 72 GREENWOOD PL
ISSUED DATE: 6/16/2017
ISSUED TO: MCCARTHY, KATHRINE
72 GREENWOOD PL
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000008142 - DRIVEWAY
PROPERTY: 109 MYRTLE AVE
ISSUED DATE: 6/19/2017
ISSUED TO: HOUGHTON, DOROTHY G
109 MYRTLE AVE.
SPRINGVILLE, NY 14141

TYPE: DRIVEWAY

PROJECT: 0000008143 - ROOFING
PROPERTY: 67 EAST AVE
ISSUED DATE: 6/19/2017
ISSUED TO: CAIMANO, JANINE M
67 EAST AVE
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008144 - ROOFING
PROPERTY: 95 ZOAR RD
ISSUED DATE: 6/20/2017
ISSUED TO: THE MAPLE GUY CONSTRUCTION, IN
504 PLEASANT AVE
HAMBURG, NY 14075

TYPE: ROOF

PROJECT: 0000008145 - ROOFING
PROPERTY: 235 MILL ST
ISSUED DATE: 6/20/2017
ISSUED TO: SCHUSTER, JESSICA
235 MILL ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000008146 - DECKS PROPERTY: 4 COLONIAL DR ISSUED DATE: 6/21/2017 ISSUED TO: MYERS, JAMES JR 4 COLONIAL DRIVE SPRINGVILLE, NY 14141	TYPE: DECKS
PROJECT: 0000008147 - SHEDS, UP TO 144 SQ.FT. PROPERTY: 25 MAPLE AVE ISSUED DATE: 6/21/2017 ISSUED TO: SULLIVAN, DUANE 25 MAPLE AVE. SPRINGVILLE, NY 14141	TYPE: SHEDS
PROJECT: 0000008148 - DECKS PROPERTY: 45 MAPLE AVE ISSUED DATE: 6/21/2017 ISSUED TO: HUDSON, GEORGE 542 GEER RD ARCADE, NY 14009	TYPE: DECKS
PROJECT: 0000008149 - ROOFING PROPERTY: 45 MILL ST ISSUED DATE: 6/22/2017 ISSUED TO: THE MAPLE GUY CONSTRUCTION, IN 504 PLEASANT AVE HAMBURG, NY 14075	TYPE: ROOF
PROJECT: 0000008150 - VIOLATION-VEHICLE PROPERTY: 155 CATTARAUGUS ST ISSUED DATE: 6/22/2017 ISSUED TO: OAKLEY, TIMOTHY 155 CATTARAUGUS SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000008151 - VIOLATION-GRASS PROPERTY: 37 S CENTRAL AVE ISSUED DATE: 6/22/2017 ISSUED TO: WEBER, STEVEN ALAN 11256 PERRY RD PAVILION, NY 14525	TYPE: VIOLATION
PROJECT: 0000008152 - UTILITY CHANGES-ELECTRIC PROPERTY: ZOAR RD ISSUED DATE: 7/03/2017 ISSUED TO: KLAGER, SHAWN 21 HILLTOP SPRINGVILLE, NY 14141	TYPE: ELECTRIC

PROJECT: 0000008153 - GARAGE SALE
PROPERTY: 24 N CENTRAL AVE
ISSUED DATE: 7/03/2017
ISSUED TO: SCHUNKE, DEREK
24 N. CENTRAL AVE.
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000008154 - GARAGE SALE
PROPERTY: 182 E MAIN ST
ISSUED DATE: 7/03/2017
ISSUED TO: TYLER, ROBYN
182 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

TRUSTEE NOTES & PROJECT REPORTS

Trustee Chamberlin reported on the Town of Concord input session regarding the updating of their Master Plan. Trustee Chamberlin also commented on the great job done on the partial paving of the Rails-to-Trail path.

Trustee Wikman commented on the site work being done at the land owned by Carl Emerling on S. Cascade Dr.

Mayor Krebs announced that there will be public meetings held at ECC campuses during July. These meetings are regarding the Erie County Executive proposal for shared services. The meeting will be held as follows;

ECC North campus	July 17 th	5:30 pm
ECC City campus	July 18 th	12:00 pm
ECC South campus	July 19 th	5:30 pm

Mayor Krebs also commented that Charter Communications cable franchise has reached out to the village to begin renewal negotiations. Their current contract expires on May 25, 2020.

11. Adjourn Motion was made by Trustee Chamberlin, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Chamberlin and Wikman voting yes, none opposed to adjourn the Regular Session at 7:37 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk