

VILLAGE OF SPRINGVILLE  
2020 MINUTES

December 7, 2020

7:00 P. M.

The Regular Meeting of the Trustees of the Village of Springville was held online via Gotomeeting in Springville, New York at the above date and time. Present were:

Mayor	William Krebs
Trustees	Reed Braman Kim Pazzuti Terry Skelton Nils Wikman
Village Administrator	Liz C. Melock
Village Attorney	Paul Weiss
Superintendent of Public Works	Duane Boberg
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Police Officer in Charge	Nicholas Budney
Deputy Clerk	Holly Murtiff
Senior Dispatcher	Rick Johnson
Also Attending	Max Borsuk, Springville Journal
Absent	Marc Gentner, Fire Chief

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

Mayor Krebs explained due to COVID-19 he prepared a PowerPoint presentation for the board meeting. The Mayor and Trustees were visible via webcams and the administrator, attorney and others attending were on the call with cameras off and muted.

1. Minutes Minutes of the Regular Meeting of November 16, 2020 were approved as written by Trustee Skelton, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Skelton, Pazzuti, Wikman and Braman voting yes, none opposed.

**PUBLIC COMMENT**  
**Moved to the end of the presentation.**

**DEPARTMENT REPORTS**

**ADMINISTRATOR REPORT**

2. LOSAP Points Resolution After explanation by Administrator Melock, motion was made by Trustee Wikman, seconded by Trustee Skelton; carried, Mayor Krebs, Trustees Wikman, Skelton, Braman and Pazzuti voting yes, none opposed to approve and authorize Mayor Krebs to sign the attached Amendment of LOSAP (Length Of Service Awards Program) Point System Pursuant to Chapter 113 of the Laws of 2020 Resolution. **120720 A.1**

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3. Village Attorney Investigations After explanation by Administrator Melock, motion was made by Trustee Wikman, seconded by Trustee Pazzuti; carried, Mayor Krebs, Trustees Wikman, Pazzuti, Braman and Skelton voting yes, none opposed to approving the below resolution authorizing the Village Attorney Paul Weiss to investigate issues at the Waste Water Treatment Plant.

*WHEREAS*, in recent years there have been a number of issues at the Springville Waste Water Treatment Plant, including, but not limited to the collapse of the digester cover and issues related to exceedances of its effluent discharge limitations which resulted in a Consent Order between the New York State Department of Environmental Conservation and the Village,

*NOW THEREFORE*, Paul D. Weiss, Esq. is appointed to investigate these and all relevant issues at the Springville Waste Water Treatment Plant and report back to the Village Board, with recommendations regarding the operation of the Waste Water Treatment Plant as well as what disciplinary actions, if any, may be necessary to implement such recommendations.

The Village Board directs all Village employees to cooperate with Mr. Weiss in his investigation of the Waste Water Treatment Plant.

At this time Administrator Melock updated the Mayor and Board on the following;

- Please contact the Village Office for electric payment arrangements.
- Winter parking ban is in effect starting Nov. 10 – April 1, 2-7 am.
- Financial reports (Treasurer's report) – Balance sheets, Rev & Exp Summaries
- have been submitted to the Village Board for the period November 2020.
- PSC Report was received. Key points: Net income decreased by \$182,000 over May 31, 2019. Accounts Receivable increased by \$180,000 from general customer account over May 31, 2019. Sales Revenues and Operating Expenses were up \$242,000 each mainly due to the large increase in TCC (Transmission Congestion Charges) that are a pass through from the NYSISO to us to customer back to NYSISO. Our rate of return, which the PSC allows a 4% rate of return (ROR), has decreased to 2.2% for May 31, 2020 from a 5.07% on the May 31, 2019 report. After the May 31, 2021 fiscal year ends the Village will be approaching the PSC for a rate increase. PSC report is on the NYS Department of Public Service website and the village website.

#### **SUPERINTENDENT REPORT**

4. NYSDOT Resolution Motion was made by Braman, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Braman, Wikman, Pazzuti and Skelton voting yes, none opposed to authorizing Mayor Krebs to Sign the NYSDOT resolution for adjustment to the Village's valve boxes and manhole that were included in the Rte. 39 paving project as per the below resolution.

**Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract**

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of NY 39 (East and West Main Street), SH989 Clark St. to Newman St. Pavement resurfacing, Drainage Repair, and ADA Compliance Upgrades, in the Village of Springville located in Erie county, PIN 5813.47 D263978, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the Adjustment of the Elevation of manhole covers and water valve boxes pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the

contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above-mentioned work, as shown on the contract plans relating to the above-mentioned project.

NOW, THEREFORE,

BE IT RESOLVED: That the Village of Springville approves of the Adjustment of the elevation of manhole covers and water valve boxes and the above-mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Springville will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED: that Duane Boberg has the authority to sign, with the concurrence of the Board of Trustees, any and all documentation that may become necessary as a result of this project as it relates to the Village of Springville, and

BE IT FURTHER RESOLVED: That the clerk of the Village of Springville is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

At this time Superintendent Boberg updated the Mayor and Board on the following;

- SPX is at the North St substation working on upgrading Transformer Bank 1. Should be done next week depending on the weather.
- The NYSDOT has started to install the flashing crosswalk signs on Main St. They will be located at Mechanic St and the head of the rail trail.
- The Streets Dept. has finished with the leaves and brush for the year. They did a fantastic job keeping up with everything this year. The Village looks great.
- All the DPW Departments have done a great job getting through this crazy year.

#### **POLICE DEPARTMENT**

Officer in Charge Budney reported on the following;

- November 2020 SPD report
- November 2020 ECSO report
- Shop with a Cop is scheduled for December 12<sup>th</sup>.

5. New Officer Motion was made by Mayor Krebs, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Braman, Pazzuti, Skelton and Wikman voting yes, none opposed to hiring Samuel Blaszczyk to the vacant position of part-time patrolman effective January 1, 2021.

#### **FIRE DEPARTMENT**

In Fire Chief Marc Gentner's absence the Fire report was read by Administrator Mellock.

- Calls
- Training
- General Information
- Special thanks to the Village for continuing to supply the Fire Department with PPE.

**BUILDING INSPECTOR/CEO**

BI/CEO Kaleta had no report this evening.

**CONTROL CENTER**

No report this evening.

**NEW BUSINESS**

There was no new business to discuss this evening.

**OLD BUSINESS**

There was no old business to discuss this evening.

**BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #159 through #173 total of \$211,984.63 of 2020/2021 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Wikman, seconded by Trustee Braman; carried, Mayor Krebs, Trustees Wikman, Braman, Skelton and Pazzuti voting yes, none opposed.

**PERMITS AND APPLICATIONS**

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

Minutes of the Planning Board meeting of November 10, 2020.

PROJECT: 000009339 - ROOFING  
PROPERTY: 100 CHURCH ST  
ISSUED DATE: 11/09/2020  
ISSUED TO: KLAHN BUILDERS  
10231 EDIES ROAD  
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 000009340 - SHEDS, UP TO 144 SQ.FT.  
PROPERTY: 174 NEWMAN ST  
ISSUED DATE: 11/09/2020  
ISSUED TO: SCHRADER, CORA  
174 NEWMAN ST  
SPRINGVILLE, NY 14141

TYPE: SHEDS

PROJECT: 000009341 - UTILITY CHANGES-SEWER  
PROPERTY: 62 N CENTRAL AVE  
ISSUED DATE: 11/10/2020  
ISSUED TO: EMERLING, NICKI  
62 N CENTRAL AVE  
SPRINGVILLE, NY 14141

TYPE: PLUMBING

PROJECT: 0000009342 - LICENSES-MOBILE FOOD TRUCK      TYPE: LICENSES  
PROPERTY:      5 W MAIN ST  
ISSUED DATE: 11/10/2020  
ISSUED TO: COYOTE CAFE  
36 MAIN STREET  
HAMBURG, NY 14075

PROJECT: 0000009343 - SHEDS, UP TO 144 SQ.FT.      TYPE: SHEDS  
PROPERTY:      385 S CASCADE DR  
ISSUED DATE: 11/10/2020  
ISSUED TO: TIM & BONNIE'S BLASDELL PIZZA  
385 S CASCADE DR  
SPRINGVILLE, NY 14141

PROJECT: 0000009344 - FENCES      TYPE: FENCES  
PROPERTY:      207 N CENTRAL AVE  
ISSUED DATE: 11/10/2020  
ISSUED TO: PRATT, JASON  
207 N CENTRAL AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000009345 - UTILITY CHANGES-ELECT. GENERATOR      TYPE: ELECTRIC  
PROPERTY:      119 S CENTRAL AVE  
ISSUED DATE: 11/12/2020  
ISSUED TO: PIATEK, DONALD D JR  
119 S. CENTRAL AVE.  
SPRINGVILLE, NY 14141

PROJECT: 0000009346 - ROOFING      TYPE: ROOF  
PROPERTY:      244 NEWMAN ST  
ISSUED DATE: 11/19/2020  
ISSUED TO: VACINEK HEATING AND ROOFING  
8038 BOSTON STATE ROAD  
HAMBURG, NY 14075

PROJECT: 0000009347 - NONRES NONSTRUCTURAL      TYPE: NONRES  
PROPERTY:      91 W MAIN ST      NONSTRUCTURAL  
ISSUED DATE: 11/19/2020  
ISSUED TO: SALEM LUTHERAN PRESCHOOL  
91 W MAIN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000009348 - SIGNS      TYPE: SIGNS  
PROPERTY:      41 E MAIN ST LWR  
ISSUED DATE: 11/20/2020  
ISSUED TO: TUBERDYKE, ERIC  
221 E MAIN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000009349 - FIRE INSPECTION  
PROPERTY: 41 E MAIN ST LWR  
ISSUED DATE: 11/30/2020  
ISSUED TO: TUBERDYKE, ERIC  
221 E MAIN ST  
SPRINGVILLE, NY 14141

TYPE: FIRE  
INSPECTION

PROJECT: 0000009350 - ROOFING  
PROPERTY: 106 W MAIN ST  
ISSUED DATE: 11/20/2020  
ISSUED TO: ANDREWS, JAY R  
106 W MAIN ST  
UPPER  
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000009351 - SHEDS, UP TO 144 SQ.FT.  
PROPERTY: 28 RAUCH DR  
ISSUED DATE: 11/20/2020  
ISSUED TO: SOLOMON, BRUCE  
28 RAUCH DR.  
SPRINGVILLE, NY 14141

TYPE: SHEDS

PROJECT: 0000009352 - VIOLATION-TRASH  
PROPERTY: 296 FRANKLIN ST 1  
ISSUED DATE: 11/24/2020  
ISSUED TO: BLACKWELL, KELSEY  
296 FRANKLIN ST.(1)  
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000009353 - FENCES  
PROPERTY: 58 RAUCH DR  
ISSUED DATE: 11/24/2020  
ISSUED TO: KIRKPATRICK, GARY & BEVERLY  
58 RAUCH DR  
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009354 - UTILITY CHANGES-PLUMBING  
PROPERTY: 150 S CASCADE DR  
ISSUED DATE: 11/24/2020  
ISSUED TO: HEINEMAN DANNY  
13980 E SCHUTT RD  
SARDINIA, NY 14134-0473

TYPE: PLUMBING

PROJECT: 0000009355 - RESIDENTIAL DEMO-OVER 500SQ  
PROPERTY: 37 S CENTRAL AVE 1ST F  
ISSUED DATE: 11/30/2020  
ISSUED TO: VILLAGE OF SPRINGVILLE  
P.O. BOX 17  
SPRINGVILLE, NY 14141

TYPE: RESIDENTIAL  
DEMO

PROJECT: 000009356 - ROOFING  
PROPERTY: 91 SPRING ST  
ISSUED DATE: 12/01/2020  
ISSUED TO: CROW TOP ENTERPRISE  
90 NORTH BUFFALO ST-UPPER  
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 000009357 - ROOFING  
PROPERTY: 65 SPRING ST  
ISSUED DATE: 12/01/2020  
ISSUED TO: CROW TOP ENTERPRISE  
90 NORTH BUFFALO ST-UPPER  
SPRINGVILLE, NY 14141

TYPE: ROOF

### **VILLAGE ATTORNEY REPORT**

Village Attorney Paul Weiss had nothing to report this evening.

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

Trustee Skelton had nothing to report this evening.

Trustee Pazzuti had nothing to report this evening.

Trustee Wikman reported on the following;

- Thanks to the DPW for their hard work on the beautiful holiday decorations in the Village.
- Stay safe

Trustee Braman had nothing to report this evening.

Mayor Krebs reported on the following;

- Thanks to the DPW for their hard work on the beautiful holiday decorations in the Village.
- Police reform meeting summary is on the website.
- Erie County Dept. of Health and New York State have continual COVID updates on their website.

### **PUBLIC COMMENT**

There were no questions or comments this evening.

6. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Wikman; carried, Mayor Krebs, Trustees Skelton, Wikman, Pazzuti and Braman voting yes, none opposed to adjourn the Regular Session at 7:36 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk

**RESOLUTION**  
Village of Springville  
**AMENDMENT OF LOSAP POINT SYSTEM**  
**PURSUANT TO CHAPTER 113 OF THE LAWS OF 2020**

WHEREAS, the Mayor & Board of Trustees  
of the Village of Springville  
has by appropriate resolution and referendum previously established a Length of Service Awards Program [hereinafter referred to as LOSAP] for the active volunteer firefighters of the Village of Springville Volunteer Fire Department in accordance with Article 11-A of the General Municipal Law; and

WHEREAS, the Village of Springville  
has established a Point System for the LOSAP in accordance with General Municipal Law §217 in order to determine which active volunteer firefighter program participants qualify each year to be awarded a year of service credit under the LOSAP; and

WHEREAS, General Municipal Law §217 was amended by Chapter 113 of the Laws of 2020 as follows;

*AN ACT to amend the general municipal law, in relation to the determination of points for service award programs for volunteer firefighters during a state disaster emergency and authorizing service award program sponsors to adjust certain point systems when such sponsor adopts written emergency response protocols*

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:  
Section 1. Section 217 of the general municipal law is amended by adding at new subdivisions (p) to read as follows:*

*(p) For purposes of determining total points earned for a calendar year in which a state disaster emergency, as defined in section twenty of the executive law, has been declared pursuant to executive order number two hundred two of two thousand twenty, as amended, to address the outbreak of novel coronavirus, COVID-19, an active volunteer firefighter service award program may provide for the crediting of up to five additional points per month, prorated for periods of less than one month, to each active volunteer firefighter for each month that special emergency response rules were in place restricting firefighter responses to emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the state disaster emergency. A political subdivision electing to provide the additional points authorized under this subdivision shall adopt a resolution by April thirtieth, two thousand twenty-one determining the number of additional points to be credited per month, provided that any additional points credited pursuant to this subdivision shall be in addition to any other points earned pursuant to this section during the state disaster emergency.*

WHEREAS, the Board of Trustees for the Village of Springville  
has determined to award five (5) points per month, prorated for periods of less than one month, under the Point System for each month or part thereof that the COVID- 19 State of Emergency was in place and active volunteer firefighter program participants performed their duties under special restrictive emergency response rules created by the Village Mayor  
in consultation with the Village Fire Chief  
related to restricted emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the State Disaster Emergency; and



WHEREAS, the Village Fire Chief has determined that active volunteer firefighter program participants performed their duties under special emergency response rules related to emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the State Disaster Emergency during the period of 4/1/20 through 12/31/20, and that regular emergency response guidelines and activities were put back in place as of ;

IT IS RESOLVED, that in accordance with the above-referenced statutory authority the Village of Springville LOSAP Points System is hereby amended to afford active volunteer firefighter program participants credit for an additional five (5) points per month, prorated for periods of less than one month, for the period of 4/1/20 through 12/31/20, and LOSAP coordinators who maintain Point System records are directed to adjust the point totals for each active volunteer firefighter program participant for the time during such period that he or she was listed as an active volunteer firefighter; and

BE IT FURTHER RESOLVED, that volunteer firefighters that were not on the active rolls during all or part of the aforesaid period due to a leave of absence, suspension or other reason shall not be eligible for these special COVID-19 points during any period that they were not active firefighters participating in the accumulation of points under the LOSAP; and

BE IT FURTHER RESOLVED, that the Village of Springville Board of Trustees reserves the authority under this resolution to grant special COVID-19 points during later periods in 2020 and 2021 if the State of Emergency remains in effect and the Board is required to go back to emergency response and point generating activity restrictions if future developments with regard to the pandemic require that a new set of restriction be put in place for additional periods of time.

The adoption of the foregoing resolution was duly put to a vote and upon roll call the vote was as follows:

William J Krebs, Mayor	Aye/Nay
Nils A Wikman, Deputy Mayor	Aye/Nay
Kim Pazzuti, Trustee	Aye/Nay
Terry Skelton, Trustee	Aye/Nay
Reed Braman, Trustee	Aye/Nay

The resolution was thereupon declared duly adopted and approved by:

Village of Springville Mayor and Board of Trustees

Dated:

Holly Murtiff, Deputy Clerk, Secretary

Village of Springville