

Village of Springville
5 West Main Street
Springville, N.Y. 14141-0017

JUNE 20, 2023

7:00 P.M.

BY MOTION OF:

NOTES

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. MINUTES FROM MEETINGS
Regular Meeting Minutes of May 15, 2023 **A.1**
4. PUBLIC HEARING
LL 7-2023 - Changes to
Garbage Code **A.2**
5. PUBLIC COMMENT
6. DEPARTMENT REPORTS
 - A. ADMINISTRATOR **A.3**
 - B. SUPERINTENDENT'S REPORT **A.4**
 - C. POLICE **A.5**
 - D. FIRE DEPARTMENT
 - E. BUILDING INSPECTOR/CEO
 - F. CONTROL CENTER
7. NEW BUSINESS
Letter of Support – Erie Catt Rail Trail –
CFA grant for engineering study **A.6**
8. OLD BUSINESS
9. BILLS
10. PERMITS AND APPLICATIONS
11. VILLAGE ATTORNEY REPORT
12. TRUSTEE NOTES & PROJECT REPORT
13. TREE COMMITTEE REPORT
14. EXECUTIVE SESSION
15. ADJOURN

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ATTACHMENT NO. A1

VILLAGE OF SPRINGVILLE
2022 MINUTES

AGENDA DATE 6/20/23

June 5, 2023

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	Timothy Michaels
Trustees	Reed Braman Lindsay Buncy Mary Padasak (remote) Terry Skelton
Village Administrator	Liz Melock
Superintendent of Public Works	Duane Boberg
Village Attorney	Paul Weiss
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Officer in Charge	Nicholas Budney
Deputy Clerk	Holly Murtiff
Also Attending Janine Caimano Margaret Watz Bruce Biringer Rick Myers Bob Adler	Max Borsuk, Springville Journal Nils Wikman Mary Carol Dearing Colton Myers Seth Wochensky
Absent	Marc Gentner, Fire Chief

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

1. Minutes Minutes of the Regular Meeting of May 15, 2023 were approved as written by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed.

PUBLIC HEARING

2. LL 6-2023 Rezoning of
Parcels Mayor Michaels opened the duly published public hearing regarding LL 6-2023 – Rezoning of parcels, Clark and W. Main Street. There being no questions or comments. Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to close the public hearing.

DRAFT

June 5, 2023
Page (2)

PUBLIC COMMENT

The following people addressed the Board

Mary Carol Dearing	bump outs at N. Buffalo and Franklin Streets
Richard Myers	rezoning of Clark Street (to be discussed later in the meeting)
Nils Wikman	Chickens in the Village and problem with rats
Seth Wochensky	1. Thank you to everyone for their participation with the Art Crawl.
	2. bump out at N. Buffalo and Franklin Streets
Bob Adler	bump outs & pedestrian flow

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

3. LL 6 of 2023 Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to name the Village of Springville as the Lead Agency for LL 6-2023, Rezone of parcels on Clark & W. Main Street to RM.

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to approving the SEQR and negative declaration for LL 6-2023, Rezone of parcels on Clark & W. Main Street to RM.

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to adopting LL 6-2023, Rezone of parcels on Clark & W. Main Streets to RM. SBL's that are being changed 335-14-2-33, 335-14-2-34, 335-14-1-13, 335-14-1-14, 335-14-2-35, 335.14-1-12.11.

4. LL 7-2023 Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to authorize to Advertise for Public Hearing for LL 7 of 2023 – Changes to Garbage Code to be held on June 19th at 7:01 pm.
5. Franklin St. Waterline Award Motion was made by Trustee Braman, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Braman, Skelton, Buncy and Padasak voting yes, none opposed to award the Community Development Project on Franklin St. waterline to Fairway in the amount of \$512,878 and authorize the Mayor to sign any and all documents pertaining to the project and approve the below resolution.

VILLAGE OF SPRINGVILLE
RESOLUTION AUTHORIZING THE AWARD OF
CONTRACT NO. 1 – GENERAL CONSTRUCTION FOR THE
VILLAGE OF SPRINGVILLE FRANKLIN STREET WATER MAIN REPLACEMENT

WHEREAS, the Village of Springville (Village) is the owner of the Franklin Street Water Main Replacement (“Project”); and

WHEREAS, pursuant to New York State Municipal Law, bids for Contract No. 1- General Construction were received, publicly opened and read aloud on May 18, 2023, at the Village of Springville Village Hall.

DRAFT

June 5, 2023

Page (3)

WHEREAS, the Village's Engineering Consultant, Barton & Loguidice, D.P.C. (B&L), tabulated and analyzed the bids received, and Fairway Contracting submitted the lowest bid for Contract No. 1-General Construction.

WHEREAS, B&L provided a Recommendation of Award letter to the Village for Contract No. 1 of the Franklin Street Water Main Replacement which recommended for the Village to award Contract No. 1 to Fairway Contracting in the amount of \$512,878.00.

NOW, THEREFORE, BE IT RESOLVED that based on the recommendation of B&L, the Village of Springville Board of Trustees hereby awards Contract No. 1-General Construction of the Franklin Street Water Main Replacement to Fairway Contracting in the amount \$512,878.00.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

6. Erie County Municipal Planning Grant Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to authorize Mayor Michaels to sign the Erie County Municipal Planning Grant application. This grant, if received, will pay for a portion of the costs to update the Village Comprehensive Master Plan that is from 2014.
7. Budget Modifications Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to approve the attached budget modifications for year-end transfers. **060522 A.1**
8. H&K Change Order #5 Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to authorizing Mayor Michaels to sign Change Order #5 for H&K Services for \$19,971 in the allowance line for stone fill on the slope near the new clarifier. There is no change in the contract price on the allowance item #25.
9. Resignations Motion was made by Trustee Braman, seconded by Trustee Buncy; carried, Mayor Michaels, Trustee Braman, Buncy, Padasak and Skelton voting yes, none opposed to accepting the resignation of Jean Kwasnik as Clerk PT assigned to the court effective June 15, 2023.

Motion was made by Trustee Braman, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Braman, Skelton, Buncy and Padasak voting yes, none opposed to accept the resignation of Dillon Fulsom as Public Safety Dispatcher PT effective May 24, 2023.

Administrator Melock discussed the following items with the Board;

- Financial reports (Treasurer's Report) – Balance Sheets, Rev & Exp Summaries have been submitted to the village board for April 2023.
- Village tax bills were mailed to the owner on record on May 31st and are due by July 3rd without penalty. Village offices are closed July 4th. Please call the Village Office at 716-592-4936 X1000 if you do not receive your village tax bill. This year the County printed ours in green.
- Free Thursday Night Summer Concerts will begin June 29th with Springville Jazz Orchestra as the first band. Concerts are from 6:30-8:30 pm at Heritage Park and Kiwanis will be selling hot dogs and snacks.
- 96-gal garbage Totes were delivered May 30-June 2, 2023. **Starting on June 6th only village totes will be picked up by Waste Management (the 6th is garbage and recycling).** If you have any issues with the totes, please contact the Village Office.

DRAFT

June 5, 2023

Page (4)

SUPERINTENDENT REPORT

10. Surplus Millings Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to declare surplus the millings from the road work that will start on June 13th.

Superintendent Boberg discussed the following;

- Streets to be milled and paved
 - Franklin St from N Buffalo to Main
 - Rachel Ln
 - Depot St
 - Albro
 - Chestnut
 - S Central
 - Glen
 - Woodward
 - Woodland Hgts paving only
- Franklin Street bumpout

POLICE DEPARTMENT

11. Training Approval Motion was made by Mayor Michaels, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to authorize Robert Rosenswie and Andrew Avery to attend Initial Response to Active Shooter Training at the state preparedness center in Oriskany, NY, June 20-22, 2023. State grant pays for training and lodging costs. The use of a police vehicle is requested and per diem meal costs/fuel in police contractual account.

Officer in Charge Budney reported on the following;

- May 2023 SPD calls handled
- May 2023 ECSO call handled
- Spring firearms qualifying was completed at the Town of Hamburg Police range on May 30. Thank you to the Town of Hamburg Police Department and Detective Tim Colling for their assistance.

FIRE DEPARTMENT

Administrator Melock read the Fire report in the absence of Chief Gentner

- Calls for May 2023
- Training
- Upcoming activities

BUILDING INSPECTOR/CEO

BI/CEO Kaleta informed the Board that nine letters have gone out to property owners regarding grass mowing. Of the nine properties five have not been mowed and DPW will start mowing the.

12. 155 Woodward There was discussion regarding 155 Woodward which is in bankruptcy proceedings and the property is not being maintained. There is a large amount of debris on this property which includes, not only, concrete and pipes which prohibits DPW from mowing. BI/CEO Kaleta has received a quote from on contractor who will clean, remove and rake this property for \$3,200.

DRAFT

June 5, 2023

Page (5)

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to instructing BI/CEO Kaleta with the cleanup of 155 Woodward Ave.

CONTROL CENTER

The May 2023 Control Center report was read by Trustee Braman;

- Personnel
- Equipment
- Monthly call volume
- Chief's Council meeting

13. New Hire Motion was made by Trustee Skelton, seconded by Mayor Michaels; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to hiring Logan Girdlestone to the position of Dispatcher PT.

NEW BUSINESS

14. Letter of Support Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to providing a letter of support to the Southtowns Rural Preservation for a grant they are applying for that assists low to moderate income households with home repairs.

OLD BUSINESS

15. Tax Exempt Properties Garbage Motion was made by Trustee Braman, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Braman, Skelton, Buncy and Padasak voting yes, none opposed to approve the below resolution regarding tax exempt property garbage service.

Resolution

To allow tax-exempt properties in the Village to partake in the weekly garbage pickup. The entity would be required to pay a one-time fee for the purchase of the tote, with a maximum of two totes per site. They would also be required to pay the year in advance for the pickup service fee, as calculated by the Village office based on that year's contract agreement.

The entity will be notified 30 days in advance for the upcoming renewal with the new rate calculated by the Village Office. The entity must either respond in writing if they wish to discontinue service or submit payment for the service to continue for the following year. There will be no refund for cancelling the service mid-year.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #349 – 358 of 2022/2023 total of \$82,346.66 and 1 – 15 of 2023/2024 total of 437,050.22 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed.

PERMITS AND APPLICATIONS

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to accepting the permits and applications attached.

DRAFT

June 5, 2023

Page (6)

Minutes of the Planning Board meeting on May 23, 2023.

Minutes of the Historic Preservation Commission on January 9, 2023.

Minutes of the Historic Preservation Commission on March 13, 2023.

Minutes of the Historic Preservation Commission on April 10, 2023.

PROJECT: 0000010193 - FENCES TYPE: FENCES

PROPERTY: 72 PINWOOD DR

ISSUED DATE: 5/10/2023

ISSUED TO: CASTER, DANIEL J

72 PINWOOD DR.

SPRINGVILLE, NY 14141

PROJECT: 0000010194 - SUBDIVISION TYPE: SUBDIVISION

PROPERTY: 482 WAVERLY ST

ISSUED DATE: 5/15/2023

ISSUED TO: BUFFALO FLEX BUSINESS PARK

PO BOX 161

N BOSTON, NY 14110

PROJECT: 0000010195 - SWIMMING POOLS TYPE: SWIMMING POOLS

PROPERTY: 18 RAUCH DR

ISSUED DATE: 5/16/2023

ISSUED TO: ROTTHOFF, JEFFERY

18 RAUCH DR

SPRINGVILLE, NY 14141

PROJECT: 0000010196 - FENCES TYPE: FENCES

PROPERTY: 59 CHESTNUT ST

ISSUED DATE: 5/17/2023

ISSUED TO: BABBITT, FREDERICK

59 CHESTNUT ST

SPRINGVILLE, NY 14141

PROJECT: 0000010197 - FENCES TYPE: FENCES

PROPERTY: 119 W MAIN ST

ISSUED DATE: 5/18/2023

ISSUED TO: FINELINE CONSTRUCTION

9230 NORTH STREET

LOT #10

SPRINGVILLE, NY 14141

PROJECT: 0000010198 - DRIVEWAY TYPE: DRIVEWAY

PROPERTY: 334 FRANKLIN ST

ISSUED DATE: 5/18/2023

ISSUED TO: EJ PROPERTIES INC

334 FRANKLIN STREET

SPRINGVILLE, NY 14141

PROJECT: 0000010199 - EVENT TYPE: EVENT

PROPERTY: 70 NASON BLVD

ISSUED DATE: 5/18/2023

ISSUED TO: SPRINGVILLE ALL CLASS REUNION

NASON BLVD

SPRINGVILLE, NY 14141

DRAFT

June 5, 2023

Page (7)

PROJECT: 0000010200 - ROOFING
PROPERTY: 26 PEARL ST
ISSUED DATE: 5/22/2023
ISSUED TO: BUFFALO ROOFING
5565 TRANSIT ROAD
WILLIAMSVILLE, NY 14221

TYPE: ROOF

PROJECT: 0000010201 - PLANNING BOARD REVIEW
REVIEW
PROPERTY: 417 WAVERLY ST
ISSUED DATE: 5/25/2023
ISSUED TO: SPRINGVILLE ANIMAL HOSPITAL
417 WAVERLY ST
PO BOX 2
SPRINGVILLE, NY 14141

TYPE: PLANNING BOARD

PROJECT: 0000010202 - SWIMMING POOLS
PROPERTY: 44 CHILDS ST
ISSUED DATE: 5/26/2023
ISSUED TO: HABERER, KENNETH
44 CHILDS ST
SPRINGVILLE, NY 14141

TYPE: SWIMMING POOLS

PROJECT: 0000010203 - LICENSES
PROPERTY: 5 W MAIN ST VO
ISSUED DATE: 5/30/2023
ISSUED TO: SOUTHWESTERN ADVANTAGE
2451 ATRIUM WAY
NASHVILLE, TN 57214

TYPE: LICENSES

PROJECT: 0000010204 - ROOFING
PROPERTY: 243 WAVERLY ST
ISSUED DATE: 5/30/2023
ISSUED TO: MAPLE GUY CONSTRUCTION
504 PLEASANT AVE
HAMBURG, NY 14075

TYPE: ROOF

PROJECT: 0000010205 - GARAGE SALE
PROPERTY: 269 FRANKLIN ST
ISSUED DATE: 5/30/2023
ISSUED TO: OAKES, MATTHEW
269 FRANKLIN ST., #C2
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000010206 - DECKS
PROPERTY: 248 W MAIN ST
ISSUED DATE: 5/30/2023
ISSUED TO: SPRAGUE, ADAM
423 FRANKLIN ST
SPRINGVILLE, NY 14141

TYPE: DECKS

DRAFT

June 5, 2023

Page (8)

VILLAGE ATTORNEY REPORT

Attorney Paul Weiss updated everyone on the recent HPC work session and their discussion regarding mural guideline and application process. There will be a HPC meeting on June 12th to vote on an outstanding mural application.

TRUSTEE NOTES & PROJECT REPORTS

Trustee Braman commented on the great job that is being done on the mural issue.

Trustee Padasak commented on the good work the HPC is doing.

Trustee Buncy commented that last weekend's Art Crawl and the Memorial Day parade.

Trustee Skelton thanked Superintendent Boberg on all the hard work he does and expressed his support for Superintendent Boberg.

Mayor Michaels attended the SYI mural dedication and commented that murals are especially meaningful when they are significant to where they are placed.

16. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed to adjourn the Regular Session at 8:11 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

Chapter 145 Solid Waste

ATTACHMENT NO. A2

AGENDA DATE 6/20/23

GENERAL REFERENCES

Brush, grass, trees and weeds — See Ch. 70.

Nuisances — See Ch. 118.

§ 145-1 Findings.

The Board of Trustees of the Village of Springville finds that:

- A. The current collection and disposal of garbage and waste is not adequate to meet the Village of Springville's long-term solid waste disposal needs.
- B. Continued use of landfills for solid waste disposal poses a threat to human health and safety through increased risk of groundwater pollution and other environmental, health and safety hazards.
- C. Removal of certain materials from the solid waste stream will decrease the flow of solid waste to landfills, aid in the conservation of valuable resources and reduce the required capacity of existing and proposed resource facilities.
- D. The New York Solid Waste Management Act of 1988 and subsequent amendments thereto require that municipalities adopt a local law for separating solid waste into recyclable, reusable or other components for which economic markets for alternate uses exist.
- E. Methods of solid waste management emphasizing resource reduction, recovery, conservation and recycling of solid wastes are essential to the long-range preservation of the health, safety and well-being of the public, to the economic productivity and environmental quality of the Village of Springville and to the conservation of resources.

§ 145-2 Legislative purpose.

In enacting this chapter, the Board of Trustees of the Village of Springville supports the following statutory purposes:

- A. To increase the life expectancy of existing and potential landfill areas and decrease the need for alternative refuse disposal facilities through a comprehensive program of waste stream reduction and recycling.
- B. To decrease the threat to human health and safety posed by the effects of landfill disposal on groundwater quality.
- C. To identify methods of collection, reduction and separation which will encourage the more efficient utilization of solid waste disposal facilities and contribute to more effective programs for the reuse of solid wastes.
- D. To ensure the long-range preservation of the health, safety and well-being of the public and the economic productivity and environmental quality of the Village of Springville by conserving resources and reducing the potential for pollution of the environment.
- E. To conserve energy by using recovered materials in manufacturing.

- F. To improve the efficiency of waste-to-energy facilities by removing metals and glass from the waste stream.
- G. To set forth a methodology for efficiently separating and collecting reusable and recyclable materials from the community's waste stream.
- H. To implement the applicable provisions of the New York State Solid Waste Management Act of 1988 and amendments thereto.

§ 145-3 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

HAZARDOUS WASTE

May include but is not limited to the following products and their empty containers: insecticides, herbicides and caustic chemicals. "Hazardous wastes" generally display one or more of the qualities of ignitability, corrosivity, reactivity or toxicity.

NONRECYCLABLES

A. That portion of the waste stream not included under recyclables and not treated separately as:

- (1) Hazardous waste as defined under regulations promulgated pursuant to § 27-0903 of the New York State Environmental Conservation Law;
- (2) Source, special nuclear or by-product material as defined in the United States Atomic Energy Act of 1954;
- (3) Low-level radioactive waste as defined in § 29-0101 of the New York State Environmental Conservation Law; or
- (4) Regulated medical waste as defined under regulations promulgated pursuant to § 27-1502 of the New York State Environmental Conservation Law.

B. "Nonrecyclables" include but are not limited to:

- (1) **GARBAGE** Putrescible solid waste, including animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking or serving of foods, except grease generated from commercial establishments. "Garbage" originates primarily in home kitchens, stores, markets, restaurants and other places where food is stored, prepared, sold or served.
- (2) **RUBBISH** Rags, sweepings, excelsior, rubber, leather, crockery, shells, clothing, straw, dirt, filth, wastepaper including magazines and noncorrugated cardboard and similar waste material, including plastic, metal and wood scraps.
- (3) **LARGE HOUSEHOLD FURNISHINGS** Large and/or bulky articles normally used in the home and which equip it for living, such as chairs, sofas, tables, beds, carpets and other such large household items.
- (4) **CONSTRUCTION DEBRIS** Waste resulting from remodeling or repair of structures or from new construction.

PERSON

Natural persons, corporations, partnerships, sole proprietorships, unincorporated associations or any and all combinations of such persons acting in concert.

RECYCLABLES

Shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. What is determined as recyclable may change throughout the contract.

RESIDENCE

A single dwelling unit designed for occupation by one or more persons as a single household.

WASTE MATERIAL

Includes all recyclables and nonrecyclables which make up the waste stream and which are eligible for curbside pickup under this chapter. "Waste material" does not include the following items, which are not eligible and which will not be picked up by the Village of Springville or any agency or agent thereof:

- A. Hazardous waste as defined under regulations promulgated pursuant to § 27-0903 of the New York State Environmental Conservation Law.
- B. Source, special nuclear or by-product material, as defined in the United States Atomic Energy Act of 1954.
- C. Low-level radioactive waste, as defined in § 29-0101 of the New York State Environmental Conservation Law.
- D. Regulated medical waste, as defined under regulations promulgated pursuant to § 27-1502 of the New York State Environmental Conservation Law.

§ 145-4 Program established.

- A. There is hereby established a program for the separation, preparation for collection and collection of waste materials. The program shall be under the supervision of the Board of Trustees of the Village of Springville, either by the Board of Trustees directly or through its designated representative, as determined by resolution of the Board of Trustees.
- B. All waste material shall be separated, prepared for collection and collected in accordance with the provisions this chapter.
- C. The Village of Springville shall have no obligation to collect and shall not collect or remove any waste material not prepared for collection in accordance with this chapter.
- D. The Village of Springville shall have no obligation to collect and shall not collect or remove any waste material placed for collection at or near the curb or edge of the street which was not produced or generated within the premises upon which it is so placed, and the placing for such collection of any garbage, rubbish or other waste material originating at a location other than the one upon which it is placed for collection is hereby prohibited.

§ 145-5 Preparation of waste material for collection.

Waste material shall be prepared for collection in accordance with Subsections A and B of this section. No person shall dispose of waste material except as follows:

- A. Acceptable containers for recyclables shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. As for private pickup, containers shall be a watertight container with a fitted lid.
- B. Preparation of nonrecyclables and acceptable containers shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. As for private pickup, containers shall be a watertight container with a fitted lid.

§ 145-6 Collection.

- A. The collection schedule shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. B. Collection commences at 6:00 a.m. on the scheduled date of pickup. To ensure that all waste material is collected, it must be at the curb or pavement edge no later than 6:00 a.m. on the day of collection, in the approved container referenced under Section 5 A above. Bulk items shall be collected from the unit as per the current waste collection contract.
- C. Empty containers and their covers and any uncollected waste shall be removed from the curb or pavement edge or other place of collection by the occupants of the premises before the end of the day on which collection is scheduled to be made from the premises.

§ 145-7 Ownership of recyclables placed for collection.

- A. From the time any person places any recyclable materials at the curb or pavement edge for purposes of collection by the Village of Springville or its designated representatives or agent, those recyclable materials shall become the property of the Village of Springville or its authorized agent. No person who is not acting under authority of the Village of Springville or its authorized agent shall collect, pick up, remove or cause to be collected, picked up or removed any recyclable materials so placed for collection. Each such unauthorized collection, pickup or removal shall constitute a separate violation of this chapter; provided, however, that where the Village of Springville has refused to collect certain recyclables because they have not been placed or treated in accordance with the provisions of this chapter, the person responsible for initially placing those materials for collection may and shall remove those materials from any curb, sidewalk or pavement edge.
- B. Nothing in this chapter shall prohibit any person from making arrangements for private collection of recyclables, provided that recyclables to be privately collected shall not be placed at the curb or pavement edge on or immediately preceding the day for municipal collection of such recyclables; and provided, further, that any container used for private collection shall meet the requirements set forth in § 145-5 or such bulk container or dumpster requirements relating to public health and safety as may be established from time to time by resolution of the Board of Trustees of the Village of Springville.
- C. Nothing in this chapter shall be construed to prohibit any person from separating recyclables from other waste material to be collected by a private collector and placing such recyclables properly contained in accordance with § 145-5 at the curb or pavement edge for collection by the Village of Springville at the designated time as provided in § 145-6.

§ 145-8 Limitations.

- A. The Village of Springville, or any person who is acting under contract with the Village of Springville for the collection of waste material, shall not be responsible to collect more than the total amount agreed to in the current contract. Therefore, no person shall place more than that total per week from a single residence or commercial establishment for collection by the Village of Springville or its authorized contractor. This limitation shall also apply to recyclable containers or materials.
- B. Nothing in this chapter shall prohibit any person from making arrangements for the private collection of recyclables or nonrecyclables in excess of the limitations set forth in this chapter, provided that any container used for private collection shall meet the requirements set forth in § 145-5 or such bulk container or dumpster requirements relating to public health and safety as may be established from time to time by resolution of the Board of Trustees of the Village of Springville.

§ 145-9 Prohibited disposal of garbage and trash.

- A. Public property. No person shall place, throw or deposit or cause to be placed, thrown or deposited any garbage, rubbish, paper, trash, hazardous waste or any other material which is the subject of this chapter

upon any sidewalk, street, alley, lane, gutter or any public ground in the village or into any stream or upon the banks of any stream running through or adjacent to said village.

- B. Private property. No person shall place, throw or deposit or cause to be placed, thrown or deposited any garbage, rubbish, paper, trash, hazardous waste or any other material which is the subject of this chapter upon the private property of any other person.
- C. Burning or burying. No person shall bury or burn or cause to be buried or burned any garbage, rubbish, paper, trash, hazardous waste or any other material which is the subject of this chapter within the village limits unless authorized to do so, in writing, by the Board of Trustees.
- D. Storage or accumulation. No person shall place, throw, deposit, store or accumulate or cause or allow such placing, throwing, depositing, storing or accumulating of any garbage, rubbish, paper, trash, construction debris, hazardous waste or any other material which is the subject of this chapter within the corporate limits of the Village of Springville unless placed, thrown, deposited, stored or accumulated in an acceptable container as defined by § 145-5 and promptly placed at the curb or pavement edge for collection in accordance with the requirements of this chapter.
- E. Nothing in this chapter shall be construed to prohibit the maintenance of up to three compost piles or bins located in the rear yard of residential, commercial or industrial property in which each compost pile/bin has a base area no greater than 64 square feet and is enclosed by wire, plastic, wood or other suitable material which adequately contains the compost

§ 145-10 Restrictions on use of vehicles.

The collection, removal and carrying of garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter on any highway, street, alley or lane of the village must be done in covered watertight vehicles which shall be in accordance with the rules and regulations of the New York State Department of Motor Vehicles and the New York State Department of Environmental Conservation. No garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter shall be spilled or scattered along the streets or public places, and the vehicles used for the collection and transportation of such material shall not be allowed to stand or tarry along the public streets for a longer time than shall be reasonably necessary for the loading of the same.

§ 145-11 Disposal of garbage and trash originating outside the village prohibited.

- A. Material originating outside the village. No person shall bring in, place or deposit or cause to be brought into, placed or deposited in the village any garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter originating from outside the Village of Springville for the purpose of having the same collected by the village, its agents or contractors.
- B. Permitting disposal of material from outside the village. No person who is a resident of the village or owner, lessee or person in control of real property within the village shall permit any person to bring in, place or deposit garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter originating outside the village on any property owned, leased or rented by such person or under such person's control. This section shall not apply to any waste transfer station operated by the County of Erie.

§ 145-12 Enforcement; penalties for offenses.

- A. The Village of Springville shall not be required to collect any waste material which has not been separated and secured or contained as required by the provisions of this chapter or other applicable law, resolution or regulation of the Village of Springville Board of Trustees. A violation of this chapter, other than § 145-11, shall constitute a violation as defined in the Penal Law and shall be punishable, upon conviction thereof, as follows:
 - (1) For a first conviction, by a fine of \$75.

- (2) For a conviction of a second violation within one year, by a fine of \$100.
 - (3) For a conviction of a third violation within one year, by a fine of \$150.
 - (4) For a conviction of a fourth violation within one year, by a fine of not less than \$150 nor more than \$300.
- B. A violation of § **145-11** shall constitute a misdemeanor, as defined in the New York State Penal Law, punishable, upon conviction thereof, by not more than six months' imprisonment and/or a fine not exceeding \$1,000.

This local law shall take effective immediately upon filing with the Secretary of State.

Resolutions:

1. Declare Village as Lead Agency Local Law 7 of 2023 Amendments to Solid Waste.
2. Approve SEQR/Neg Dec Local Law 7 of 2023 Amendments to Solid Waste. See attached.
3. Approve/Table Local Law 7 of 2023 Amendments to Solid Waste. See attached.
4. Accept resignation of Logan Girdlestone effective June 12, 2023 from the position of public safety dispatcher.
5. Appoint Sarah Guadagna as the Clerk PT assigned to court effective June 21st at a salary of \$18.00 per hour.
6. Approve 23-24 Budget modifications for Court personnel. Increase Court Personnel line 1130-100 by \$8400 and decrease contingency account 1990-400 by \$8400 for the increase in the temporary PT position in the court.
7. Appoint Marie Falzone at Clerk PT assigned to court effective June 21st until Dec 31, 2023 at a rate of \$20 per hour for 15 hours per week.
8. Approve Change Order #6 in the amount of \$493,071 to H&K for the secondary digester cover replacement as recommended by Barton & Loguidice. See attached.
9. Approve list of reduction of garbage tote fee under Special District Charges on Village Tax bills for 2023-2024. See attached list.
10. Authorize Mayor to sign three service agreements for the Electric Department SCADA system with QEI effective September 1, 2023 in the amount of \$11,806 for the Configwiz Software, Automation Hardware and Master Station Software agreements. See attached.
11. Approve 22-23 Budget modifications for fiscal year end. See attached.

Discussions:

1. Financial reports (Treasurer's Report) – Balance Sheets, Rev & Exp Summaries have been submitted to the village board for May 2023.
2. Village tax bills were mailed to the owner on record on May 31st and are due by July 3rd without penalty. Village offices are closed July 4th. Please call the Village Office at 716-592-4936 X1000 if you do not receive your village tax bill. This year the County printed ours in green.
3. Free Thursday Night Summer Concerts will begin June 29th with Springville Jazz Orchestra as the first band. Concerts are from 6:30-8:30 pm at Heritage Park and Kiwanis will be selling hot dogs and snacks. July 6th concert is The Boys of Summer.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Local Law # 7 of 2023 - Chapter 145 - Solid Waste amendment			
Project Location (describe, and attach a location map): Entire Village			
Brief Description of Proposed Action: See attached revisions to the Solid Waste Chapter 145 - 6 pages.			
Name of Applicant or Sponsor: Village of Springville		Telephone: 716-592-4936 E-Mail: tmichaels@villageofspringvilleny.com	
Address: 5 W. Main St PO Box 17			
City/PO: Springville		State: NY	Zip Code: 14141
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Village of Springville - Timothy P. Michaels</u> Date: <u>6/20/2023</u>		
Signature: _____ Title: <u>Mayor</u>		

Project:	LL6 of 2023 Chapter 145 Solid Waste
Date:	06-20-2023

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

This Local Law is to replace prior language on Solid Waste pickup to the current practices taking place today with garbage totes. There is no adverse environmental impact due to this local law.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Village of Springville	June 20, 2023
Name of Lead Agency	Date
Timothy P. Michaels	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Chapter 145

Solid Waste

GENERAL REFERENCES

Brush, grass, trees and weeds — See Ch. 70.

Nuisances — See Ch. 118.

§ 145-1 Findings.

The Board of Trustees of the Village of Springville finds that:

- A. The current collection and disposal of garbage and waste is not adequate to meet the Village of Springville's long-term solid waste disposal needs.
- B. Continued use of landfills for solid waste disposal poses a threat to human health and safety through increased risk of groundwater pollution and other environmental, health and safety hazards.
- C. Removal of certain materials from the solid waste stream will decrease the flow of solid waste to landfills, aid in the conservation of valuable resources and reduce the required capacity of existing and proposed resource facilities.
- D. The New York Solid Waste Management Act of 1988 and subsequent amendments thereto require that municipalities adopt a local law for separating solid waste into recyclable, reusable or other components for which economic markets for alternate uses exist.
- E. Methods of solid waste management emphasizing resource reduction, recovery, conservation and recycling of solid wastes are essential to the long-range preservation of the health, safety and well-being of the public, to the economic productivity and environmental quality of the Village of Springville and to the conservation of resources.

§ 145-2 Legislative purpose.

In enacting this chapter, the Board of Trustees of the Village of Springville supports the following statutory purposes:

- A. To increase the life expectancy of existing and potential landfill areas and decrease the need for alternative refuse disposal facilities through a comprehensive program of waste stream reduction and recycling.
- B. To decrease the threat to human health and safety posed by the effects of landfill disposal on groundwater quality.
- C. To identify methods of collection, reduction and separation which will encourage the more efficient utilization of solid waste disposal facilities and contribute to more effective programs for the reuse of solid wastes.
- D. To ensure the long-range preservation of the health, safety and well-being of the public and the economic productivity and environmental quality of the Village of Springville by conserving resources and reducing the potential for pollution of the environment.
- E. To conserve energy by using recovered materials in manufacturing.

- F. To improve the efficiency of waste-to-energy facilities by removing metals and glass from the waste stream.
- G. To set forth a methodology for efficiently separating and collecting reusable and recyclable materials from the community's waste stream.
- H. To implement the applicable provisions of the New York State Solid Waste Management Act of 1988 and amendments thereto.

§ 145-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

HAZARDOUS WASTE

May include but is not limited to the following products and their empty containers: insecticides, herbicides and caustic chemicals. "Hazardous wastes" generally display one or more of the qualities of ignitability, corrosivity, reactivity or toxicity.

NONRECYCLABLES

A. That portion of the waste stream not included under recyclables and not treated separately as:

- (1) Hazardous waste as defined under regulations promulgated pursuant to § 27-0903 of the New York State Environmental Conservation Law;
- (2) Source, special nuclear or by-product material as defined in the United States Atomic Energy Act of 1954;
- (3) Low-level radioactive waste as defined in § 29-0101 of the New York State Environmental Conservation Law; or
- (4) Regulated medical waste as defined under regulations promulgated pursuant to § 27-1502 of the New York State Environmental Conservation Law.

B. "Nonrecyclables" include but are not limited to:

- (1) **GARBAGE** Putrescible solid waste, including animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking or serving of foods, except grease generated from commercial establishments. "Garbage" originates primarily in home kitchens, stores, markets, restaurants and other places where food is stored, prepared, sold or served.
- (2) **RUBBISH** Rags, sweepings, excelsior, rubber, leather, crockery, shells, clothing, straw, dirt, filth, wastepaper including magazines and noncorrugated cardboard and similar waste material, including plastic, metal and wood scraps.
- (3) **LARGE HOUSEHOLD FURNISHINGS** Large and/or bulky articles normally used in the home and which equip it for living, such as chairs, sofas, tables, beds, carpets and other such large household items.
- (4) **CONSTRUCTION DEBRIS** Waste resulting from remodeling or repair of structures or from new construction.

PERSON

Natural persons, corporations, partnerships, sole proprietorships, unincorporated associations or any and all combinations of such persons acting in concert.

RECYCLABLES

Shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. What is determined as recyclable may change throughout the contract.

RESIDENCE

A single dwelling unit designed for occupation by one or more persons as a single household.

WASTE MATERIAL

Includes all recyclables and nonrecyclables which make up the waste stream and which are eligible for curbside pickup under this chapter. "Waste material" does not include the following items, which are not eligible and which will not be picked up by the Village of Springville or any agency or agent thereof:

- A. Hazardous waste as defined under regulations promulgated pursuant to § 27-0903 of the New York State Environmental Conservation Law.
- B. Source, special nuclear or by-product material, as defined in the United States Atomic Energy Act of 1954.
- C. Low-level radioactive waste, as defined in § 29-0101 of the New York State Environmental Conservation Law.
- D. Regulated medical waste, as defined under regulations promulgated pursuant to § 27-1502 of the New York State Environmental Conservation Law.

§ 145-4 Program established.

- A. There is hereby established a program for the separation, preparation for collection and collection of waste materials. The program shall be under the supervision of the Board of Trustees of the Village of Springville, either by the Board of Trustees directly or through its designated representative, as determined by resolution of the Board of Trustees.
- B. All waste material shall be separated, prepared for collection and collected in accordance with the provisions this chapter.
- C. The Village of Springville shall have no obligation to collect and shall not collect or remove any waste material not prepared for collection in accordance with this chapter.
- D. The Village of Springville shall have no obligation to collect and shall not collect or remove any waste material placed for collection at or near the curb or edge of the street which was not produced or generated within the premises upon which it is so placed, and the placing for such collection of any garbage, rubbish or other waste material originating at a location other than the one upon which it is placed for collection is hereby prohibited.

§ 145-5 Preparation of waste material for collection.

Waste material shall be prepared for collection in accordance with Subsections A and B of this section. No person shall dispose of waste material except as follows:

- A. Acceptable containers for recyclables shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. As for private pickup, containers shall be a watertight container with a fitted lid.
- B. Preparation of nonrecyclables and acceptable containers shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. As for private pickup, containers shall be a watertight container with a fitted lid.

§ 145-6 Collection.

- A. The collection schedule shall be as specified by resolution of the Village Board of Trustees under the current waste collection contract. B. Collection commences at 6:00 a.m. on the scheduled date of pickup. To ensure that all waste material is collected, it must be at the curb or pavement edge no later than 6:00 a.m. on the day of collection, in the approved container referenced under Section 5 A above. Bulk items shall be collected from the unit as per the current waste collection contract.
- C. Empty containers and their covers and any uncollected waste shall be removed from the curb or pavement edge or other place of collection by the occupants of the premises before the end of the day on which collection is scheduled to be made from the premises.

§ 145-7 Ownership of recyclables placed for collection.

- A. From the time any person places any recyclable materials at the curb or pavement edge for purposes of collection by the Village of Springville or its designated representatives or agent, those recyclable materials shall become the property of the Village of Springville or its authorized agent. No person who is not acting under authority of the Village of Springville or its authorized agent shall collect, pick up, remove or cause to be collected, picked up or removed any recyclable materials so placed for collection. Each such unauthorized collection, pickup or removal shall constitute a separate violation of this chapter; provided, however, that where the Village of Springville has refused to collect certain recyclables because they have not been placed or treated in accordance with the provisions of this chapter, the person responsible for initially placing those materials for collection may and shall remove those materials from any curb, sidewalk or pavement edge.
- B. Nothing in this chapter shall prohibit any person from making arrangements for private collection of recyclables, provided that recyclables to be privately collected shall not be placed at the curb or pavement edge on or immediately preceding the day for municipal collection of such recyclables; and provided, further, that any container used for private collection shall meet the requirements set forth in § 145-5 or such bulk container or dumpster requirements relating to public health and safety as may be established from time to time by resolution of the Board of Trustees of the Village of Springville.
- C. Nothing in this chapter shall be construed to prohibit any person from separating recyclables from other waste material to be collected by a private collector and placing such recyclables properly contained in accordance with § 145-5 at the curb or pavement edge for collection by the Village of Springville at the designated time as provided in § 145-6.

§ 145-8 Limitations.

- A. The Village of Springville, or any person who is acting under contract with the Village of Springville for the collection of waste material, shall not be responsible to collect more than the total amount agreed to in the current contract. Therefore, no person shall place more than that total per week from a single residence or commercial establishment for collection by the Village of Springville or its authorized contractor. This limitation shall also apply to recyclable containers or materials.
- B. Nothing in this chapter shall prohibit any person from making arrangements for the private collection of recyclables or nonrecyclables in excess of the limitations set forth in this chapter, provided that any container used for private collection shall meet the requirements set forth in § 145-5 or such bulk container or dumpster requirements relating to public health and safety as may be established from time to time by resolution of the Board of Trustees of the Village of Springville.

§ 145-9 Prohibited disposal of garbage and trash.

- A. Public property. No person shall place, throw or deposit or cause to be placed, thrown or deposited any garbage, rubbish, paper, trash, hazardous waste or any other material which is the subject of this chapter

upon any sidewalk, street, alley, lane, gutter or any public ground in the village or into any stream or upon the banks of any stream running through or adjacent to said village.

- B. Private property. No person shall place, throw or deposit or cause to be placed, thrown or deposited any garbage, rubbish, paper, trash, hazardous waste or any other material which is the subject of this chapter upon the private property of any other person.
- C. Burning or burying. No person shall bury or burn or cause to be buried or burned any garbage, rubbish, paper, trash, hazardous waste or any other material which is the subject of this chapter within the village limits unless authorized to do so, in writing, by the Board of Trustees.
- D. Storage or accumulation. No person shall place, throw, deposit, store or accumulate or cause or allow such placing, throwing, depositing, storing or accumulating of any garbage, rubbish, paper, trash, construction debris, hazardous waste or any other material which is the subject of this chapter within the corporate limits of the Village of Springville unless placed, thrown, deposited, stored or accumulated in an acceptable container as defined by § 145-5 and promptly placed at the curb or pavement edge for collection in accordance with the requirements of this chapter.
- E. Nothing in this chapter shall be construed to prohibit the maintenance of up to three compost piles or bins located in the rear yard of residential, commercial or industrial property in which each compost pile/bin has a base area no greater than 64 square feet and is enclosed by wire, plastic, wood or other suitable material which adequately contains the compost

§ 145-10 Restrictions on use of vehicles.

The collection, removal and carrying of garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter on any highway, street, alley or lane of the village must be done in covered watertight vehicles which shall be in accordance with the rules and regulations of the New York State Department of Motor Vehicles and the New York State Department of Environmental Conservation. No garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter shall be spilled or scattered along the streets or public places, and the vehicles used for the collection and transportation of such material shall not be allowed to stand or tarry along the public streets for a longer time than shall be reasonably necessary for the loading of the same.

§ 145-11 Disposal of garbage and trash originating outside the village prohibited.

- A. Material originating outside the village. No person shall bring in, place or deposit or cause to be brought into, placed or deposited in the village any garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter originating from outside the Village of Springville for the purpose of having the same collected by the village, its agents or contractors.
- B. Permitting disposal of material from outside the village. No person who is a resident of the village or owner, lessee or person in control of real property within the village shall permit any person to bring in, place or deposit garbage, rubbish, trash, paper, hazardous waste or any other material which is the subject of this chapter originating outside the village on any property owned, leased or rented by such person or under such person's control. This section shall not apply to any waste transfer station operated by the County of Erie.

§ 145-12 Enforcement; penalties for offenses.

- A. The Village of Springville shall not be required to collect any waste material which has not been separated and secured or contained as required by the provisions of this chapter or other applicable law, resolution or regulation of the Village of Springville Board of Trustees. A violation of this chapter, other than § 145-11, shall constitute a violation as defined in the Penal Law and shall be punishable, upon conviction thereof, as follows:

- (1) For a first conviction, by a fine of \$75.

- (2) For a conviction of a second violation within one year, by a fine of \$100.
 - (3) For a conviction of a third violation within one year, by a fine of \$150.
 - (4) For a conviction of a fourth violation within one year, by a fine of not less than \$150 nor more than \$300.
- B. A violation of § 145-11 shall constitute a misdemeanor, as defined in the New York State Penal Law, punishable, upon conviction thereof, by not more than six months' imprisonment and/or a fine not exceeding \$1,000.

This local law shall take effective immediately upon filing with the Secretary of State.

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 6	
PROJECT Wastewater Treatment Plant Upgrades	DATE 05/30/2023
CONTRACT Contract 1- General Construction	MUNICIPALITY Village of Springville
OWNER Village of Springville	COUNTY/STATE Erie County, NY

To: **H&K Services, Inc.**

You are hereby requested to comply with the following changes to the contract documents:

DESCRIPTION OF CHANGE ORDER: This change order includes the replacement of the secondary anaerobic digester cover at the Village’s wastewater treatment plant. The existing cover shall be demolished and replaced in kind with a new dual membrane cover. The digester shall be cleaned during the replacement process.

REASONS FOR CHANGE ORDER: The wastewater treatment plant Secondary Digester Cover has reached the end of its useful life and is in need of replacement.

ATTACHMENTS:

- Cost Breakdown and Pay Item Descriptions
- Specification 46 73 01 – Digester Renovation and Cover Replacement
- Specification 46 73 17 – Digester Dual Membrane Cover
- Contract Drawings

The amount of the Contract will be (Increased) by the Sum Of: \$ 493,071.00

The Contract Total including this and previous Change Orders Will Be: \$ 6,062,374

The Work included under this Change Order shall be Substantially Complete By: **February 1, 2024**

This document will become a supplement to the contract and all provisions will apply hereto.

Approved _____
Village of Springville (Date)

Recommended *Jesse Demmitt* 05/30/2023
Barton & Loguidice, D.P.C. (Date)

Accepted _____
H&K Services, Inc. (Date)

Cost Breakdown and Payment Item Descriptions

Pay Item No.	Pay Item	Measurement (Quantity)	Cost
1	Secondary Digester Cleaning	Allowance	\$ 12,300.00
2	Secondary Digester Cover Replacement	Lump Sum	\$ 480,771.00
Total			\$ 493,071.00

Pay Item No. 1: Secondary Digester Cleaning

Payment Item Description: Payment shall be full compensation for Secondary Digester cleaning with a maximum cost not to exceed the allowance amount unless otherwise authorized by the Owner. Contractor shall clean the Secondary Digester once the existing cover is demolished. Cleaning shall be inclusive of the removal of any wastes from the digester and disposing of the wastes on the Owners existing sludge drying beds. Contractor will compensated on a Time and Expense basis and is not guaranteed the payment of the full allowance amount. Prior to commencing with the work Contractor shall submit all proposed cleaning rates to Owner and Engineer for review.

Pay Item No. 2: Secondary Digester Cover Replacement

Payment Item Description: Payment shall be full compensation for all labor, equipment, material, and incidental work associated with demolishing the existing Secondary Digester cover and furnishing and installing a new Secondary Digester cover as detailed and specified. Contractor shall and dispose of (off-site) the existing dual membrane cover. The Contractor shall be responsible for all disposal costs. Contractor shall furnish, install, and successfully start up a new dual membrane Secondary Digester cover. All work detailed on the drawings or specified in the specifications that is not specifically stated to be included as Secondary Digester Cleaning shall be included under this lump sum payment item.

Attachments

2023-2024 Special District Charges

Removal due to pickup of unused garbage tote delivered as requested by property owner. 06-20-2023

292 E. Main St – SBL 335.16-4-22	1 tote	\$64.00
584 E. Main St – SBL 336.14-1-10	3 totes	\$192.00
182 East Hill Run – SBL 336.18-2-15	1 tote	\$64.00
10 N. Buffalo St- SBL 335.15-5-8	1 tote	\$64.00
126 S. Central – SBL 335.1-4-36	1 tote	\$64.00
164 Newman – SBL 336.09-1-20	1 tote	\$64.00
300 W. Main – SBL 335.19-1-5	1 tote	\$64.00
728 Franklin St – SBL 335-10-2-7	1 tote	\$64.00
219 Franklin St – SBL 335.15-4-27	1 tote	\$64.00

Vacant Properties – totes were picked up

155 Woodward – SBL 335.19-2-6.2	1 tote	\$64.00
14 Cochran – SBL 335.15-8-15	2 totes	\$128.00

Total to be removed from Village Tax bills under Special District is \$896.00



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Limitation of Liability

Liability of QEI, LLC shall be limited to the purchase, repair or replacement price of the specific product. QEI shall not be liable for loss of data, profits or nonuse of product. QEI will not be liable for damages suffered by the customer except in the case of negligence of QEI, its agents, employees or subcontractors. No agreement varying or extending the foregoing warranties, remedies or this limitation of liability will be binding upon QEI unless the same is expressly contained in writing and signed by an officer of QEI.

Terms and Termination

The term of this Agreement will be for a period of 12 months after the Effective Date. Customer can terminate this Agreement at any time with or without cause by giving QEI sixty (60) day written notice that will terminate the Agreement at the end of the second full month after the notice was received by QEI.

Hiring Restrictions

For the term of this agreement and for a period of one (1) year thereafter, customer agrees not to hire, solicit or accept solicitation through employment as an independent contractor, or otherwise, of any QEI employees, or subcontractors, with whom it has had contact in the course of any of the services or work which are the subject of this agreement without the prior written consent of QEI, as applicable. Should the customer employ an employee of QEI through employment or hire QEI's subcontractor within this time period without QEI's written consent, as the case may be the customer shall immediately pay as liquidated damages to QEI an amount equal to six (6) months compensation at the rates paid by QEI as the case may be, to such employee, agent or subcontractor.

Payment

The Customer agrees to pay for the services as described in the amount of \$2,238.00 dollars on the date of execution of this Agreement. Payment terms are due within thirty (30) days from date of receipt of invoice and will be issued beginning on the "effective date" specified in the Agreement. QEI reserves the right, at its sole discretion, immediately terminate this Agreement or temporarily suspend its performance for nonpayment of any past due invoice that the Customer has failed to pay or cure within fifteen (15) days after mailing of such notice.

IN WITNESS WHEREOF, this Agreement has been fully executed by the parties hereto as of the date written above.

QEI, LLC
Signature

Village of Springville, NY
Signature

By: _____

By: _____

Name: _____

Name: TIMOTHY P. MICHAELS

Title: _____

Title: MAYOR

Date: _____

Date: 6/20/2023



AUTOMATION HARDWARE SERVICE AGREEMENT

Agreement dated this 1st day of September 2023 (the "Effective Date") between QEI, with offices at 45 Fadem Road, Springfield, New Jersey 07081 ("QEI") and the Village of Springville, NY with offices at 5 West Main Street, Springville, NY 14141 (the "Customer").

Service Provided

QEI will provide the following services under this Agreement.

1. Unlimited Factory Repair Service, including inspection, parts, labor and recalibration as needed on all QEI manufactured Hardware.
2. Within four hours of a telephonic communication from the customer of a reported problem, Customer will be contacted to be given an Return Authorization Number (RMA) to return hardware in need of repair, FOB Factory.
3. Hardware will be returned in the same manner if was received. Ex. Overnight delivery, will be returned overnight, Ground deliveries will be returned ground.
4. All Services to be furnished hereunder will be provided from 8:00 AM to 5:00 PM. Eastern Standard Time, Monday through Friday (excluding holidays).
5. Unlimited technical support in helping isolate malfunctioning QEI hardware.
6. In the event the board is deemed "unrepairable", QEI will offer a replacement or equivalent at a 40 percent discount off of List Price.
7. Includes access to QEI's Patch Management System (QPMS)
8. Includes access to the QPMS NERC Rider (for additional cost) when purchased concurrently (required) with this Agreement. QPMS will offer updates, notifications and patches for QEI Software and OS.
9. Automation Hardware Workshops (ShopTalk) with unlimited customer participation.

Exclusions

Exclusions under this Service Agreement include:

- a. Damage caused during transportation inbound to QEI.
- b. Alterations, modifications, attempts to repair without QEI's consent.
- c. Software configuration, database support.
- d. On-site services
- e. Training



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Indemnification

In no event shall QEI be liable for any incidental, direct, indirect, special, consequential damage of any type whatsoever, including but not limited to, loss of profits, down time, removal and reinstallation costs out of or related in any respect to the services provided.

Limitation of Liability

Liability of QEI, LLC shall be limited to the purchase, repair or replacement price of the specific product. QEI shall not be liable for loss of data, profits or nonuse of product. QEI will not be liable for damages suffered by the customer except in the case of negligence of QEI, its agents, employees or subcontractors. No agreement varying or extending the foregoing warranties, remedies or this limitation of liability will be binding upon QEI unless the same is expressly contained in writing and signed by an officer of QEI.

Terms and Termination

The term of this Agreement will be for a period of 12 months after the Effective Date. Customer can terminate this Agreement at any time with or without cause by giving QEI sixty (60) day written notice that will terminate the Agreement at the end of the second full month after the notice was received by QEI.

Hiring Restrictions

For the term of this agreement and for a period of one (1) year thereafter, customer agrees not to hire, solicit or accept solicitation through employment as an independent contractor, or otherwise, of any QEI employees, or subcontractors, with whom it has had contact in the course of any of the services or work which are the subject of this agreement without the prior written consent of QEI, as applicable. Should the customer employ an employee of QEI through employment or hire QEI's subcontractor within this time period without QEI's written consent, as the case may be the customer shall immediately pay as liquidated damages to QEI an amount equal to six (6) months compensation at the rates paid by QEI as the case may be, to such employee, agent or subcontractor.

Payment

The Customer agrees to pay for the services as described in the amount of \$3,562.00 dollars on the date of execution of this Agreement. Payment terms are due within thirty (30) days from date of receipt of invoice and will be issued beginning on the "effective date" specified in the Agreement. QEI reserves the right, at its sole discretion, immediately terminate this Agreement or temporarily suspend its performance for nonpayment of any past due invoice that the Customer has failed to pay or cure within fifteen (15) days after mailing of such notice.

IN WITNESS WHEREOF, this Agreement has been fully executed by the parties hereto as of the date written above.

QEI, LLC
Signature

Village of Springville, NY
Signature

By: _____

By: _____

Name: _____

Name: TIMOTHY P. MICHAELS

Title: _____

Title: MAYOR

Date: _____

Date: 6/20/2023



MASTER STATION SOFTWARE SERVICE AGREEMENT

Agreement dated this 1st day of September 2023 (the "Effective Date") between QEI, with offices at 45 Fadem Road, Springfield, New Jersey 07081 ("QEI") and the Village of Springville, NY with offices at 5 West Main Street, Springville, NY 14141 (the "Customer").

Service Provided

QEI will provide the following services under this Agreement with respect to all identified Master Station Software in Attachment A.

1. Unlimited technical assistance via telephone, diagnostic modem and or VPN connection in the areas of database, communication and QEI software.
2. Within four hours of a telephonic communication from the customer of a reported problem, Customer will be contacted.
3. All Services to be furnished hereunder will be provided from 8:00 AM to 5:00 PM. Eastern Standard Time, Monday through Friday (excluding holidays).
4. QEI as the single point of contact will provide all coordination with the customer and any third party if required due to a hardware failure covered under a QEI Service Agreement.
5. Includes one entire Client and Server Software upgrade per year.
6. Includes access to QEI's Patch Management System (QPMS).
7. Includes access to the QPMS NERC Rider (for additional cost) when purchased concurrently (required) with this Agreement. QPMS will offer updates, notifications and patches for QEI Software.
8. Master Station Workshops (ShopTalk) with unlimited customer participation.

Exclusions

Exclusions under this Service Agreement include:

- a. Does not include technical support for the addition of new software, configuration, training, hardware peripherals, network topology or any other changes beyond SCADA System configuration at the time this agreement was signed.
- b. Damage caused by the customer.
- c. Alterations, modifications, system upgrades/downgrades, attempts to repair without QEI's consent.
- d. On-site services.
- e. Training

Indemnification

In no event shall QEI be liable for any incidental, direct, indirect, special, consequential damage of any type whatsoever, including but not limited to, loss of profits, down time, removal and reinstallation costs out of or related in any respect to the services provided.



Limitation of Liability

Liability of QEI, LLC shall be limited to the purchase, repair or replacement price of the specific product. QEI shall not be liable for loss of data, profits or nonuse of product. QEI will not be liable for damages suffered by the customer except in the case of negligence of QEI, its agents, employees or subcontractors. No agreement varying or extending the foregoing warranties, remedies or this limitation of liability will be binding upon QEI unless the same is expressly contained in writing and signed by an officer of QEI.

Terms and Termination

The term of this Agreement will be for a period of 12 months after the Effective Date. Customer can terminate this Agreement at any time with or without cause by giving QEI sixty (60) day written notice that will terminate the Agreement at the end of the second full month after the notice was received by QEI.

Hiring Restrictions

For the term of this agreement and for a period of one (1) year thereafter, customer agrees not to hire, solicit or accept solicitation through employment as an independent contractor, or otherwise, of any QEI employees, or subcontractors, with whom it has had contact in the course of any of the services or work which are the subject of this agreement without the prior written consent of QEI, as applicable. Should the customer employ an employee of QEI through employment or hire QEI's subcontractor within this time period without QEI's written consent, as the case may be the customer shall immediately pay as liquidated damages to QEI an amount equal to six (6) months compensation at the rates paid by QEI as the case may be, to such employee, agent or subcontractor.

Payment

The Customer agrees to pay for the services as described in the amount of \$6,006.00 dollars on the date of execution of this Agreement. Payment terms are due within thirty (30) days from date of receipt of invoice and will be issued beginning on the "effective date" specified in the Agreement. QEI reserves the right, at its sole discretion, immediately terminate this Agreement or temporarily suspend its performance for nonpayment of any past due invoice that the Customer has failed to pay or cure within fifteen (15) days after mailing of such notice.

IN WITNESS WHEREOF, this Agreement has been fully executed by the parties hereto as of the date written above.

QEI, LLC
Signature

Village of Springville, NY
Signature

By: _____

By: _____

Name: _____

Name: TIMOTHY P. MICHAELS

Title: _____

Title: MAYOR

Date: _____

Date: 6/20/2023



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ATTACHMENT A

Project No.	Software Description	License Quantity
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Amount	From Account	To Account
General Fund		
\$ 51.00	1130-0100	1130-0400
\$ 3,675.00	1130-0100	1325-0100
\$ 88.00	1325-0200	1325-0400
\$ 448.00	1130-0100	1355-0400
\$ 75.00	1420-0400	1420-0100
\$ 671.00	1420-0400	1490-0100
\$ 551.00	1420-0400	1490-0460
\$ 487.00	1420-0400	1620-0400
\$ 4,345.00	3020-0400	3020-0100
\$ 677.00	1420-0400	3020-0100
\$ 182.00	5110-0460	5110-0100
\$ 109.00	5110-0450	5110-0110
\$ 1,215.00	1420-0400	5112-0200
\$ 1,029.00	1420-0400	8010-0100
\$ 50.00	1420-0400	8020-0400
\$ 1,343.00	1420-0400	8510-0100
\$ 298.00	1420-0400	8510-0410
\$ 714.00	1620-0100	8510-0110
\$ 152.00	8540-0120	8540-0100
\$ 36.00	8560-0120	8560-0110
\$ 29,647.00	8560-0100	9901-0900
\$ 7,431.00	1620-0100	9901-0900
\$ 2,095.00	3310-0100	9901-0900
\$ 1,397.00	3620-0100	9901-0900
\$ 10,000.00	7110-0100	9901-0900
\$ 32,728.00	8160-0440	9901-0900
\$ 16.00	1325-0200	1420-0400
\$ 57.00	5110-0460	5110-0450
\$ 99,567.00	Total GF	
Water Fund		
\$ 11.00	9060-0800-002	1420-0100-002
\$ 2,282.00	8330-0101-001	8310-0101-001
\$ 11.00	8330-0101-001	8310-0101-001
\$ 657.00	8330-0101-001	8320-0101-001
\$ 121.00	8330-0101-001	8320-0111-001
\$ 73.00	8330-0121-001	8330-0111-001
\$ 99.00	8330-0461-001	8330-0411-001
\$ 5,196.00	8330-0101-001	8340-0101-001
\$ 544.00	8340-0121-001	8340-0111-001
\$ 8,994.00	Total WF	
Sewer Fund		
\$ 950.00	9030-0800	8110-0101
\$ 711.00	9030-0800	8120-0101
\$ 133.00	9030-0800	8120-0111
\$ 2,197.00	8130-0121	8130-0101
\$ 1,741.00	8130-0421	8130-0101
\$ 187.00	8130-0421	8130-0411
\$ 1,389.00	8130-0461	8130-0441
\$ 705.00	8130-0461	8130-0451
\$ 2,197.00	9060-0800	8130-0101
\$ 10,210.00	Total SWR	

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000294							
001 5-1130-0100-001	5/31/2023	YE BUDGET TRANSF 06	51.00-	61,724.00	4,660.00-	52,890.00	161.57
		JUDICIAL - WAGES					
001 5-1130-0400-001	5/31/2023	YE BUDGET TRANSF 06	51.00	12,425.00	4,660.00	17,136.00	955.19
		JUDICIAL - CONT. EXPENSE					
001 5-1130-0100-001	5/31/2023	YE BUDGET TRANSF 06	3,675.00-	61,724.00	4,660.00-	52,890.00	161.57
		JUDICIAL - WAGES					
001 5-1325-0100-001	5/31/2023	YE BUDGET TRANSF 06	3,675.00	106,716.00	0.00	110,391.00	0.04
		CLERK-TREAS. PERSONAL SERVICE					
001 5-1325-0200-001	5/31/2023	YE BUDGET TRANSF 06	88.00-	5,000.00	4,410.00-	590.00	590.00
		CLERK-TREAS EQUIPMENT					
001 5-1325-0200-001	5/31/2023	YE BUDGET TRANSF 06	88.00	5,000.00	4,410.00-	590.00	590.00
		CLERK-TREAS EQUIPMENT					
001 5-1130-0100-001	5/31/2023	YE BUDGET TRANSF 06	448.00-	61,724.00	4,660.00-	52,890.00	161.57
		JUDICIAL - WAGES					
001 5-1355-0400-001	5/31/2023	YE BUDGET TRANSF 06	448.00	5,500.00	105.00	6,053.00	0.88
		ASSESSMENT CONT. EXPENSE					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	75.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-1420-0100-001	5/31/2023	YE BUDGET TRANSF 06	75.00	15,021.00	0.00	15,096.00	0.22
		LAW PERSONAL SERVICE					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	671.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-1490-0100-001	5/31/2023	YE BUDGET TRANSF 06	671.00	39,621.00	2,841.00	43,133.00	0.64
		PUB. WORKS ADMIN. PER. SERV.					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	551.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-1490-0460-001	5/31/2023	YE BUDGET TRANSF 06	551.00	2,500.00	369.00	3,420.00	213.41
		PUB. WORKS ADMIN. MISCELLANEOUS					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	487.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-1620-0400-001	5/31/2023	YE BUDGET TRANSF 06	487.00	35,000.00	18,100.00	53,587.00	1,840.16
		BUILDINGS CONTRACTUAL EXPENSE					
001 5-3020-0400-001	5/31/2023	YE BUDGET TRANSF 06	4,345.00-	26,602.00	133.00-	22,124.00	3,383.90
		CONTROL CENTER CONT. EXPENSE					

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
001 5-3020-0100-001	5/31/2023	YE BUDGET TRANSF SERV	4,345.00	158,539.00	133.00	163,694.00	0.63
		CONTROL CENTER PERSONAL SERV					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	677.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-3020-0100-001	5/31/2023	YE BUDGET TRANSF 06	677.00	158,539.00	133.00	163,694.00	0.63
		CONTROL CENTER PERSONAL SERV					
001 5-5110-0460-001	5/31/2023	YE BUDGET TRANSF 06	182.00-	1,500.00	0.00	1,318.00	297.59
		STREETS MISC.					
001 5-5110-0100-001	5/31/2023	YE BUDGET TRANSF 06	182.00	174,000.00	89,645.00	263,827.00	0.22
		STREET MAINT. PERSONAL SERVICE					
001 5-5110-0450-001	5/31/2023	YE BUDGET TRANSF 06	109.00-	1,000.00	13.00-	878.00	3.38
		STREETS FEES FOR SERVICES					
001 5-5110-0110-001	5/31/2023	YE BUDGET TRANSF 06	109.00	8,000.00	4,208.00	12,317.00	0.84
		TEMPORARY WAGES					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	1,215.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-5112-0200-001	5/31/2023	YE BUDGET TRANSF 06	1,215.00	94,217.00	64,189.09	159,621.09	0.12
		PERM IMPROVE HIGHWAY (CHIPS)					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	1,029.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-8010-0100-001	5/31/2023	YE BUDGET TRANSF 06	1,029.00	34,182.00	3,683.00-	31,528.00	0.50
		ZONING-CBO PERSONAL SERVICES					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	50.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-8020-0400-001	5/31/2023	YE BUDGET TRANSF 06	50.00	300.00	33.00	383.00	100.39
		PLANNING BOARD CONT. EXPENSES					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	1,343.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-8510-0100-001	5/31/2023	YE BUDGET TRANSF 06	1,343.00	6,250.00	8,267.00	15,860.00	0.33
		COMM.BEAUTIFICATION - PERS.SER					
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSF 06	298.00-	30,000.00	1,705.00-	21,899.00	5,772.09
		LAW CONTRACTUAL EXPENSE					
001 5-8510-0410-001	5/31/2023	YE BUDGET TRANSF 06	298.00	20,000.00	12,219.00-	8,079.00	2,626.20
		COMM.BEAUTIFICATION SUPP & MAT					

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
001 5-1620-0100-001	5/31/2023	YE BUDGET TRANSF 06	714.00-	26,396.00	782.00-	17,469.00	0.46
BUILDINGS PERSONAL SERVICES							
001 5-8510-0110-001	5/31/2023	YE BUDGET TRANSF 06	714.00	750.00	7,845.00	9,309.00	0.70
COMM. BEAUTIFICATION TEMPORARY							
001 5-8540-0120-001	5/31/2023	YE BUDGET TRANSF 06	152.00-	500.00	0.00	348.00	327.09
DRAINAGE OVERTIME							
001 5-8540-0100-001	5/31/2023	YE BUDGET TRANSF 06	152.00	13,500.00	4,791.00	18,443.00	0.77
DRAINAGE PERSONAL SERVICE							
001 5-8560-0120-001	5/31/2023	YE BUDGET TRANSF 06	36.00-	1,500.00	0.00	1,464.00	1,354.02
SHADE TREES OVERTIME							
001 5-8560-0110-001	5/31/2023	YE BUDGET TRANSF 06	36.00	0.00	1,690.00	1,726.00	0.13
SHADE TREES TEMPORARY							
001 5-8560-0100-001	5/31/2023	YE BUDGET TRANSF 06	29,647.00-	83,500.00	44,265.00-	9,588.00	0.18
SHADE TREES PERSONAL SERVICE							
001 5-9901-0900-001	5/31/2023	YE BUDGET TRANSF 06	29,647.00	0.00	140,674.00	223,972.00	0.72
TRANSFERS TO OTHER FUNDS							
001 5-1620-0100-001	5/31/2023	YE BUDGET TRANSF 06	7,431.00-	26,396.00	782.00-	17,469.00	0.46
BUILDINGS PERSONAL SERVICES							
001 5-9901-0900-001	5/31/2023	YE BUDGET TRANSF 06	7,431.00	0.00	140,674.00	223,972.00	0.72
TRANSFERS TO OTHER FUNDS							
001 5-3310-0100-001	5/31/2023	YE BUDGET TRANSF 06	2,095.00-	2,200.00	0.00	105.00	0.00
TRAFFIC CONTROL PERSONAL SERV							
001 5-9901-0900-001	5/31/2023	YE BUDGET TRANSF 06	2,095.00	0.00	140,674.00	223,972.00	0.72
TRANSFERS TO OTHER FUNDS							
001 5-3620-0100-001	5/31/2023	YE BUDGET TRANSF 06	1,397.00-	44,029.00	3,683.00	46,315.00	0.98
SAFETY INSPECTION PER. SERVICE							
001 5-9901-0900-001	5/31/2023	YE BUDGET TRANSF 06	1,397.00	0.00	140,674.00	223,972.00	0.72
TRANSFERS TO OTHER FUNDS							
001 5-7110-0100-001	5/31/2023	YE BUDGET TRANSF 06	10,000.00-	26,000.00	3,627.00-	12,373.00	0.23
PARKS PERSONAL SERVICE							
001 5-9901-0900-001	5/31/2023	YE BUDGET TRANSF 06	10,000.00	0.00	140,674.00	223,972.00	0.72
TRANSFERS TO OTHER FUNDS							
001 5-8160-0440-001	5/31/2023	YE BUDGET TRANSF 06	32,728.00-	274,204.00	0.00	241,476.00	19,909.49
REFUSE COLLECTION CONT. SERV.							

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
001 5-9901-0900-001	5/31/2023	YE BUDGET TRANSF 06	32,728.00	0.00	140,674.00	223,972.00	0.72
TRANSFERS TO OTHER FUNDS							
002 5-8330-0101-001	5/31/2023	YE BUDGET TRANSF 06	2,282.00-	63,000.00	5,820.00-	48,913.00	8,725.01
SALARIES REGULAR, COMMODITY							
002 5-8310-0101-001	5/31/2023	YE BUDGET TRANSF 06	2,282.00	77,573.00	949.00	80,815.00	11.57
WATER ADMIN SALARIES							
002 5-8330-0101-001	5/31/2023	YE BUDGET TRANSF 06	11.00-	63,000.00	5,820.00-	48,913.00	8,725.01
SALARIES REGULAR, COMMODITY							
002 5-8310-0101-001	5/31/2023	YE BUDGET TRANSF 06	11.00	77,573.00	949.00	80,815.00	11.57
WATER ADMIN SALARIES							
002 5-8330-0101-001	5/31/2023	YE BUDGET TRANSF 06	657.00-	63,000.00	5,820.00-	48,913.00	8,725.01
SALARIES REGULAR, COMMODITY							
002 5-8320-0101-001	5/31/2023	YE BUDGET TRANSF 06	657.00	15,830.00	7,604.00	24,091.00	0.49
SUPPLY SOURCE -REGULAR COMM.							
002 5-8330-0101-001	5/31/2023	YE BUDGET TRANSF 06	121.00-	63,000.00	5,820.00-	48,913.00	8,725.01
SALARIES REGULAR, COMMODITY							
002 5-8320-0111-001	5/31/2023	YE BUDGET TRANSF 06	121.00	170.00	901.00	1,192.00	0.30
SUPPLY SOURCE-TEMPORARY WAGES							
002 5-8330-0121-001	5/31/2023	YE BUDGET TRANSF 06	73.00-	5,000.00	586.00-	4,341.00	2,967.13
OVERTIME, COMMODITY							
002 5-8330-0111-001	5/31/2023	YE BUDGET TRANSF 06	73.00	0.00	35.00	108.00	0.61
TEMPORARY WAGES, COMMODITY							
002 5-8330-0461-001	5/31/2023	YE BUDGET TRANSF 06	99.00-	1,500.00	1,155.00-	246.00	46.00
MISCELLANEOUS-COMMODITY							
002 5-8330-0411-001	5/31/2023	YE BUDGET TRANSF 06	99.00	20,000.00	3,342.00	23,441.00	3,197.54
SUPPLIES & MATERIAL, COMMODITY							
002 5-8330-0101-001	5/31/2023	YE BUDGET TRANSF 06	5,196.00-	63,000.00	5,820.00-	48,913.00	8,725.01
SALARIES REGULAR, COMMODITY							
002 5-8340-0101-001	5/31/2023	YE BUDGET TRANSF 06	5,196.00	130,607.00	18,641.00	154,444.00	0.69
SALARIES REGULAR-COMMODITY							
002 5-8340-0121-001	5/31/2023	YE BUDGET TRANSF 06	544.00-	4,000.00	1,580.00-	1,876.00	297.85
OVERTIME, COMMODITY							
002 5-8340-0111-001	5/31/2023	YE BUDGET TRANSF 06	544.00	19,200.00	10,901.00-	8,843.00	0.25
TEMPORARY - COMMODITY							

BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000294							
003 5-9030-0800-000	5/31/2023	YE BUDGET TRANSF 06	950.00-	21,651.00	0.00	20,568.00	1,052.82
		SOCIAL SECURITY					
003 5-8110-0101-001	5/31/2023	YE BUDGET TRANSF 06	950.00	25,984.00	1,635.00	28,569.00	0.54
		SEWER ADMIN SALARIES					
003 5-9030-0800-000	5/31/2023	YE BUDGET TRANSF 06	711.00-	21,651.00	0.00	20,568.00	1,052.82
		SOCIAL SECURITY					
003 5-9030-0800-000	5/31/2023	YE BUDGET TRANSF 06	711.00	21,651.00	0.00	20,568.00	1,052.82
		SOCIAL SECURITY					
003 5-9030-0800-000	5/31/2023	YE BUDGET TRANSF 06	133.00-	21,651.00	0.00	20,568.00	1,052.82
		SOCIAL SECURITY					
003 5-8120-0111-001	5/31/2023	YE BUDGET TRANSF 06	133.00	2,000.00	671.00	2,804.00	0.01
		TEMPORARY, COMMODITY					
003 5-8130-0121-001	5/31/2023	YE BUDGET TRANSF 06	2,197.00-	20,000.00	2,579.00-	15,224.00	0.28
		OVERTIME, COMMODITY					
003 5-8130-0101-001	5/31/2023	YE BUDGET TRANSF 06	2,197.00	191,935.00	43,091.00-	154,979.00	2,197.19
		SALARIES REGULAR COMMODITY					
003 5-8130-0421-001	5/31/2023	YE BUDGET TRANSF 06	1,741.00-	49,000.00	6,000.00-	41,072.00	3,952.22
		UTILITIES-COMMODITY					
003 5-8130-0101-001	5/31/2023	YE BUDGET TRANSF 06	1,741.00	191,935.00	43,091.00-	154,979.00	2,197.19
		SALARIES REGULAR COMMODITY					
003 5-8130-0421-001	5/31/2023	YE BUDGET TRANSF 06	187.00-	49,000.00	6,000.00-	41,072.00	3,952.22
		UTILITIES-COMMODITY					
003 5-8130-0411-001	5/31/2023	YE BUDGET TRANSF 06	187.00	42,000.00	2,206.00	44,393.00	4,513.50
		SUPPLIES & MATERIAL- COMMODITY					
003 5-8130-0461-001	5/31/2023	YE BUDGET TRANSF 06	1,389.00-	29,000.00	3,138.00-	23,768.00	1,618.30
		HWTP CHEMICALS					
003 5-8130-0441-001	5/31/2023	YE BUDGET TRANSF 06	1,389.00	67,000.00	10,327.00-	58,062.00	8,114.86
		CONTRACTED SERVICES-COMMODITY					
003 5-8130-0461-001	5/31/2023	YE BUDGET TRANSF 06	705.00-	29,000.00	3,138.00-	23,768.00	1,618.30
		HWTP CHEMICALS					
003 5-8130-0451-001	5/31/2023	YE BUDGET TRANSF 06	705.00	15,000.00	365.00	16,070.00	1,200.19
		FEES FOR NON RMP-COMMODITY					
003 5-9060-0800-003	5/31/2023	YE BUDGET TRANSF 06	2,197.00-	49,765.00	0.00	47,568.00	1,610.14
		HOSPITAL & MEDICAL INSURANCE					

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000294							

003 5-8130-0101-001	5/31/2023	YE BUDGET TRANSF 06	2,197.00	191,935.00	43,091.00-	154,979.00	2,197.19
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TOTAL IN PACKET-- 0.00

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

FUND ACCOUNT DATE DESCRIPTION ADJUSTMENT ORIGINAL BUDGET PREVIOUS ADJUSTMENTS NEW BUDGET BUDGET BALANCE
 Budget Adj. # 000295 -----

001 5-1325-0200-001	5/31/2023	YE BUDGET TRANSFER	88.00-	5,000.00	4,410.00-	486.00	486.00
CLERK-TREAS EQUIPMENT							
001 5-1325-0400-001	5/31/2023	YE BUDGET TRANSFER	88.00	36,800.00	4,305.00	41,193.00	1,306.32
CLERK-TREAS CONT. EXPENSE							
001 5-1325-0200-001	5/31/2023	YE BUDGET TRANSFER	16.00-	5,000.00	4,410.00-	486.00	486.00
CLERK-TREAS EQUIPMENT							
001 5-1420-0400-001	5/31/2023	YE BUDGET TRANSFER	16.00	30,000.00	8,101.00-	21,915.00	5,788.09
LAW CONTRACTUAL EXPENSE							
001 5-5110-0460-001	5/31/2023	YE BUDGET TRANSFER	57.00-	1,500.00	182.00-	1,261.00	240.59
STREETS MISC.							
001 5-5110-0450-001	5/31/2023	YE BUDGET TRANSFER	57.00	1,000.00	122.00-	935.00	60.38
STREETS FEES FOR SERVICES							
003 5-9030-0800-000	5/31/2023	YE BUDGET TRANSFER	711.00-	21,651.00	1,083.00-	19,857.00	341.82
SOCIAL SECURITY							
003 5-8120-0101-001	5/31/2023	YE BUDGET TRANSFER	711.00	27,734.00	15,721.00	44,166.00	0.12
SALARIES REGULAR, COMMODITY							

TOTAL IN PACKET-- 0.00

*** NO WARNINGS ***
 *** NO ERRORS ***

*** END OF REPORT ***

VILLAGE OF SPRINGVILLE
DEPARTMENT OF PUBLIC WORKS
Duane Boberg
Superintendent of Public Works
Superintendent Report for June 20, 2023

ATTACHMENT NO. A4

AGENDA DATE 6/20/23

Resolution: Declare surplus/scrape Makita chop saw from the Streets Dept. beyond repair.

Streets to milled: Done.

Franklin St from N Buffalo to Main

Rachel Ln

Depot St

Albro

Chestnut

S Central

Glen

Woodward

LT. NICHOLAS K. BUDNEY
OFFICER IN CHARGE



ATTACHMENT NO. A5
AGENDA DATE 6/20/23

SPRINGVILLE POLICE DEPARTMENT

June 20, 2023

Resolution: Accept the resignation of George Avery effective June 21, 2023. George has been with the department since its inception in 2001 and has almost 22 years with our agency! We wish George the very best "retirement" can offer him and his family and thank him for all his efforts on the village's behalf.

PATROL OFFICE
65 FRANKLIN STREET
PO BOX 17
SPRINGVILLE, NEW YORK 14141

nbudney@villageofspringvilleny.com

ADMINISTRATIVE OFFICE
5 WEST MAIN STREET
PO BOX 17
SPRINGVILLE, NEW YORK 14141
(716) 592-4936 FAX (716) 592-7088

Mayor
Timothy P. Michaels
Deputy Mayor
Terry Skelton
Trustees
Reed Braman
Mary Padasak
Lindsay Buncy

**VILLAGE OF SPRINGVILLE**

Incorporated April 11, 1834
5 W. Main St. P.O. Box 17, Springville NY 14141
(716) 592-4936 / Fax (716) 592-7088 / TDD (800) 662-1220

ATTACHMENT NO. A6
AGENDA DATE 6/20/23

~~Administrator~~
Clerk/Treasurer
Liz C. Melock
CEO
Mike Kaleta
Attorney
Paul Weiss

June 20, 2023

To whom it may concern:

The Village of Springville Mayor and Board of Trustees have passed a resolution in support of Erie Cattaraugus Rail Trail's Consolidated Funding Application, which is requesting funds to evaluate and provide a safe design for the historic, aging Cascade Bridge.

This high trestle bridge was at one time an important destination for tourists; its banks and pristine waters used for recreation, fishing, picnicking and camping. An important stop along the former Buffalo-Pittsburgh rail line, it fell into a state of neglect and disuse, and today represents a significant environmental and physical hazard.

In 2018, Erie Cattaraugus Rail Trail, Inc., a 501(c)3 non-profit organization, obtained a long-term federally rail-banked lease from the railroad to create a multi-use recreational trail along a 27-mile stretch of former rail line, culminating at the Cascade bridge. Today the bridge, which connects Erie and Cattaraugus Counties, regularly sees rust and debris falling into Cattaraugus Creek below. Meanwhile, gaping holes in its decking pose a significant danger to the curious thrill-seeker. In short, the bridge is in desperate need of an engineering study and a design leading to its safe rehabilitation.

We fully support Erie Cattaraugus Rail Trail's application for the environmental and physical restoration of this important Western New York destination landmark.

Sincerely,

Timothy P. Michaels
Mayor

Historic Springville Home of Glenn "Pop" Warner, Architect of Modern Day Football

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Or call (800) 795-3272 (Voice)

VILLAGE OF SPRINGVILLE
June 20, 2023
Page 1
PERMITS AND APPLICATIONS

Building applications received by the Building Inspector/CEO Kaleta, Planning Board, Zoning Board of Appeal and Historic Preservation Commission as follows:

Minutes of the Historic Preservation Commission on May 8, 2023. **CA.1**
Minutes of the Historic Preservation Commission on May 22, 2023. **CA.2**

PROJECT: 0000010207 - RESIDENTIAL ALTERATION
PROPERTY: 38 ELK ST
ISSUED DATE: 5/31/2023
ISSUED TO: DONAHUE, JONATHAN
JEN CO CONSTRUCTION
38 ELK ST
SPRINGVILLE, NY 14141
TYPE: RESIDENTIAL ALTERATION

PROJECT: 0000010208 - UTILITY CHANGES
PROPERTY: 564 W MAIN ST
ISSUED DATE: 5/31/2023
ISSUED TO: PINCUS CONSTRUCTION
11872 CANON BLVD SUITE E
NEWPORT NEWS, VA 23606
TYPE: UTILITY CHANGES

PROJECT: 0000010209 - UTILITY CHANGES-WATER
PROPERTY: 564 W MAIN ST
ISSUED DATE: 5/31/2023
ISSUED TO: PINCUS CONSTRUCTION
11872 CANON BLVD SUITE E
NEWPORT NEWS, VA 23606
TYPE: PLUMBING

PROJECT: 0000010210 - UTILITY CHANGES-SEWER
PROPERTY: 564 W MAIN ST
ISSUED DATE: 5/31/2023
ISSUED TO: PINCUS CONSTRUCTION
11872 CANON BLVD SUITE E
NEWPORT NEWS, VA 23606
TYPE: PLUMBING

PROJECT: 0000010211 - ROOFING
PROPERTY: 93 N BUFFALO ST
ISSUED DATE: 6/01/2023
ISSUED TO: G ROOFING LLC
4225 ABBOTT ROAD
ORCHARD PARK, NY 14127
TYPE: ROOF

PROJECT: 0000010212 - EVENT-CAR AND TRUCK SHOW
PROPERTY: NASON BLVD PARK
ISSUED DATE: 6/01/2023
ISSUED TO: SPRINGVILLE VOLUNTER FIRE CO
P.O. BOX 12
SPRINGVILLE, NY 14141
TYPE: EVENT

VILLAGE OF SPRINGVILLE

June 20, 2023

Page 2

PERMITS AND APPLICATIONS

PROJECT: 0000010213 - RESIDENTIAL ALTERATION
PROPERTY: 34 BARNSTEAD HM
ISSUED DATE: 6/01/2023
ISSUED TO: SHMO
8912 HEBDON RD
WEST VALLEY, NY 14171

TYPE: RESIDENTIAL
ALTERATION

PROJECT: 0000010214 - ROOFING
PROPERTY: 171 W MAIN ST
ISSUED DATE: 6/06/2023
ISSUED TO: MAPLE GUY CONSTRUCTION
504 PLEASANT AVE
HAMBURG, NY 14075

TYPE: ROOF

PROJECT: 0000010215 - HISTORIC PRESSERVATION-SHED
PROPERTY: 30 PEARL ST
ISSUED DATE: 6/06/2023
ISSUED TO: SKURA, WILLIAM
407 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: HISTORIC PRESERV
REVIEW

PROJECT: 0000010216 - HISTORIC PRESSERVATION
PROPERTY: 85 E MAIN ST
ISSUED DATE: 6/07/2023
ISSUED TO: LINES, ALAN B
85 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: HISTORIC PRESERV
REVIEW

PROJECT: 0000010217 - DECKS
PROPERTY: 46 E MAIN ST
ISSUED DATE: 6/07/2023
ISSUED TO: SPRINGVILLE HARDWARE
52 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000010218 - UTILITY CHANGES-SEWER
PROPERTY: 67 CHURCH ST
ISSUED DATE: 6/07/2023
ISSUED TO: ZUECHS ENVIRONMENTAL SRVC
PO BOX 108
FRANKLINVILLE, NY 14737

TYPE: PLUMBING

PROJECT: 0000010219 - UTILITY CHANGES-ELECTRIC
PROPERTY: 110 CHESTNUT ST
ISSUED DATE: 6/07/2023
ISSUED TO: DYNAMIC ELECTRICAL SOLUTIONS
50 GLEN ST
SPRINGVILLE, NY 14141

TYPE: ELECTRIC

VILLAGE OF SPRINGVILLE

June 20, 2023

Page 3

PERMITS AND APPLICATIONS

PROJECT: 0000010220 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 143 FRANKLIN ST LOWER
ISSUED DATE: 6/07/2023
ISSUED TO: DYNAMIC ELECTRICAL SOLUTIONS
50 GLEN ST
SPRINGVILLE, NY 14141

PROJECT: 0000010221 - ROOFING TYPE: ROOF
PROPERTY: 426 E MAIN ST
ISSUED DATE: 6/07/2023
ISSUED TO: MORLOK, BRENDA
PO BOX 147
LEWISTON, NY 14092

PROJECT: 0000010222 - DRIVEWAY TYPE: DRIVEWAY
PROPERTY: 680 FRANKLIN ST
ISSUED DATE: 6/08/2023
ISSUED TO: BONCORE, ELIZABETH
680 FRANKLIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000010223 - LICENSES - MOBILE FOOD TYPE: LICENSES
PROPERTY: 5 W MAIN ST
ISSUED DATE: 6/08/2023
ISSUED TO: CHIAVETTA'S
10654 BRANT-ANGOLA RD
BRANT, NY 14027

PROJECT: 0000010224 - NONRES STRUCTURAL TYPE: NONRES
PROPERTY: 96 S CENTRAL AVE STRUCTURAL
ISSUED DATE: 6/09/2023
ISSUED TO: KESTER, BRYAN L
96 S. CENTRAL AVE.
SPRINGVILLE, NY 14141

PROJECT: 0000010225 - HISTORIC PRESSERVATION TYPE: HISTORIC PRESERV
PROPERTY: 16 S BUFFALO ST REVIEW
ISSUED DATE: 6/09/2023
ISSUED TO: WRAY, TERRY
16 S BUFFALO ST
SPRINGVILLE, NY 14141

PROJECT: 0000010226 - ROOFING TYPE: ROOF
PROPERTY: 60 S CASCADE DR
ISSUED DATE: 6/12/2023
ISSUED TO: BLACK ROCK ROOFING, INC
2064 NIAGARA ST
BUFFALO, NY 14207-2503

VILLAGE OF SPRINGVILLE
June 20, 2023
Page 4
PERMITS AND APPLICATIONS

PROJECT: 0000010227 - DECKS
PROPERTY: 7 CHURCH ST
ISSUED DATE: 6/13/2023
ISSUED TO: HALLETT, ELAINE
6688 CROSS ROAD
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000010228 - VIOLATION-TRASH
PROPERTY: 70 SMITH ST
ISSUED DATE: 6/13/2023
ISSUED TO: MCILREATH, ROBERT J
11929 FISHER RD
CHAFFEE, NY 14030

TYPE: VIOLATION

Village of Springville
Historic Preservation Commission

ATTACHMENT NO. CA 1
AGENDA DATE 6/20/23

May 8, 2023 7:00pm

A meeting of the Historic Preservation Commission of the Village of Springville was held at the Municipal Building, 65 Franklin Street, Springville, New York at the above date and time. Present were:

<i>Chairman:</i>	Bill Skura
<i>Vice Chairman:</i>	John Baronich
<i>Members</i>	Helen Brogan Don Orton Eric Tuberdyke – absent
 <i>Also present:</i>	 Seth Wochensky - SCA Max Collins - SCA Allissa Glasier - SCA Bob Adler Michael Wolniewicz Catherine Wolniewicz Chloe Krouse Dan Bryce Andrea Simmons Jennifer Morris Jonathan Horton Heather Svalina
 <i>Clerk:</i>	 Reed Braman

After the Pledge of Allegiance, Chairman Skura called the meeting to order at 7:02 p.m.

The first Certificate of Appropriateness before the board came from Springville Center of the Arts for a mural at 46 E. Main Steet. The mural depicted an image of Bertrand Chaffee wearing heart shaped sunglasses. The mural material is "wheat paste" and would be applied on the upper level of the building to cover up vandal's graffiti. Chairman Skura asked what the point of the sunglasses was offering the suggestion of "whimsy". SCA Director Wochensky agreed. Vice Chairman Baronich briefed the board on the discussion that was had with the SPAC relaying that some on the SPAC felt it was disrespectful to portray Bertrand Chaffee in a whimsical manner. There was discussion on if any of Bertrand Chaffee's descendants had been contacted. No one knew of any descendants. Vice Chairman Baronich asked if they would accept alterations to the appearance of the mural. SCA Director Wochensky said that they are applying as presented.

Chairman Skura made the motion to approve the Certificate of Appropriateness as presented, Vice Chairman Baronich seconded. Don Orton added the amendment to alter mural by switching out the pink sunglasses with a pink bowtie. All in favor, none opposed.

Upon completion of the vote, SCA Director Wochensky requested the reason for the amendment indicating that it was a de facto denial of the art work as presented. No legal basis was provided for the recommendation

The second Certificate of Appropriateness before the board came from the Springville Center for the Arts for a mural at 57 W Main Street. This mural depicted an array of creatures from Chinese mythology on a blue field. The mural would be installed on both sides of what is currently the Panda House Restaurant. SCA Director Wochensky clarified that both murals would be blue. He further explained that the Art's Center has permission from the owner to provide necessary repointing and minor improvements to provide a satisfactory surface to install the mural. He went on to describe the process of repairing the surface, providing a base coat, painting on the mural and finally installing a top coat that would seal in the mural. This would provide longevity to the mural that would last an estimated 20 years if not longer. The mural could be painted over at any time and Wochensky went on to explain that these murals are put up with an expectation that it will draw attention and bring a desire to improve properties which could include being painted over. The SCA has no contract with owners to require a length of time to display a mural.

The board debated the historic appropriateness of the mural. Don Orton said it wasn't adding to the historic character of the building or surrounding buildings. Vice Chairman Baronich said that it was historically relevant to the ownership and occupancy of the building. Chairman Skura said there were no longer other buildings surrounding it. Don Orton said that this mural is part of the gateway to the downtown Historic District and would be the first thing that people would see. Chairman Skura said that the mural is better than what is already there and that the first thing people see is a dilapidated building. Don Orton said that he doesn't like that it makes such a strong statement. Helen Brogan mentioned that she preferred the representative sample artwork that was in black and white.

Chairman Skura called for a vote to approve the Certificate of Appropriateness as presented. Vice Chairman Baronich seconded. Chairman Skura and Helen Brogan voted "Aye" and Vice Chairman Baronich and Don Orton voted "Nay". With no majority the certificate was denied.

Following the vote, SCA Director Wochensky requested a reason for the denial. Chairman Baronich said he didn't see the historic value. Don Orton explained that it doesn't keep the character of the historic district and that it makes a strong statement of the Village. SCA Wochensky noted for the record that there was no legal basis for denial.

The third Certificate of Appropriateness before the board came from the Springville Center for the Arts for a mural at 26 Franklin Street. This series of murals depicts four nature scenes that cover the four seasons. These murals would be installed on the garage doors of a storage facility owned by the artist (Michael and Catherine Wolniewicz). Catherine presented the four murals and explained the inspiration for the artwork and the ties to the nature of the area. Vice Chairman Baronich said the SPAC thought one of the images showed a likeness to Scoby Dam.

Don Orton brought a motion to approve the Certificate of Appropriateness as presented. Helen Brogan seconded that motion. All in favor, none opposed

The fourth Certificate of Appropriateness before the board came from the Springville Center for the Arts for a mural extension at 59 E Main Street (former Witter Davis building). During a previous conversation it was mentioned that unaltered brick would need to be approved by the board. The Certificate application is requesting a 2 foot extension on the bottom of the mural. In the application was evidence of paint splatter and spills that have affected the appearance of the brick up close.

The board discussed the exterior of the building in general and the desire to see the windows on the third floor reinstated.

Don Orton brought a motion to approve the Certificate of Appropriateness as presented. Helen Brogan seconded that motion. All in favor, none opposed

The fifth Certificate of Appropriateness before the board came from the Springville Center for the Arts for a temporary installation of crocheted hearts hung from trees throughout the Downtown Area. Alisia Glasier, one of the artists in residence with the Springville Center for the Arts, explained that a group of fabric arts artists wanted to participate by crocheting hearts for display. The hearts would be free to take by the Arts Crawl Festival goers. The hearts would be hung by a string that was part of the artwork and there were no separate fasteners required. There would be approximately 400 hearts hung and the remaining hearts would be removed within 1-3 days following the festival

Helen Brogan made a motion to approve the Certificate of Appropriateness as presented. John Baronich seconded that motion. All in favor, none opposed.

The sixth Certificate of Appropriateness before the board came from the Springville Center for the Arts for a temporary installation of microplastic recycling bins throughout the downtown area. These bins would be provided to collect microplastics and draw attention to the issue of small plastic litter. The bins would be stationed and moved from time to time over the summer. The bins would be weighted down with concrete blocks to prevent unwarranted movement or theft.

Helen Brogan made a motion to approve the Certificate of Appropriateness as presented. Don Orton seconded that motion. All in favor, none opposed.

Chairman Skura requested more input from the Village Board on how the Historic Preservation Commission is supposed to address murals and whether they should even come before the board.

Chairman Skura asked for a motion to approve the minutes from January 9th, 2023 meeting.

Don Orton made the motion to approve the minutes, Chairman Skura seconded. Don Orton, Helen Brogan and Chairman Skura voted in favor, Vice Chairman Baronich abstained.

Chairman Skura asked for a motion to approve the minutes from March 13th, 2023 meeting.

Vice Chairman Baronich made the motion to approve the minutes, Chairman Skura seconded. Vice Chairman Baronich, Helen Brogan and Chairman Skura voted in favor, Don Orton abstained.

The minutes for the April 10, 2023 meeting could not be approved due to the lack of quorum with Eric Tuberdyke absent and Vice Chairman Baronich and Helen Brogan required to abstain.

Don Orton made the motion to adjourn at 9:15 p.m., seconded by Vice Chairman Baronich. All in favor, none opposed.

Respectfully submitted,

Reed Braman

Village of Springville
Historic Preservation Commission

MAY 22, 2023 7:00 pm

SPECIAL MEETING

A meeting of the Historic Preservation Commission of the Village of Springville was held at the Municipal Building, 65 Franklin Street, Springville, New York at the above date and time. Present were:

<i>Chairman:</i>	Bill Skura
<i>Vice Chairman:</i>	John Baronich
<i>Members:</i>	Helen Brogan Don Orton Eric Tuberdyke
<i>Also present:</i>	Reed Braman Paul Weiss-Village Attorney Mary Padasak Tara Lowry Carl Eisenhard Max Borsuk Seth Wochensky-SCA Max Collins-SCA Alisia Glasier-SCA Dave Ploetz Janine Caimano
<i>Clerk:</i>	Jennifer Blumenstein

After the Pledge of Allegiance, Chairman Skura called the meeting to order at 7:05 p.m.

Don Orton made the motion to revisit the Certificates of Appropriateness for 57 W. Main Street and 52 E. Main Street. Seconded by Eric Tuberdyke. All in favor, none opposed and John Baronich abstained.

The Board opened the Public Comment portion of the meeting, but no one chose to speak so Public Comment was closed.

Seth Wochensky, with the Springville Center for the Arts addressed the Board about the Mural at 57 W. Main Street. He presented the Board with an amended Certificate of Appropriateness with similar design, but with a different color scheme. Seth stated that

the building is a non-contributing building in the Historic Preservation District and that the restrictions are less stringent with concern to this building.

Seth said that a lot of wall preparation must be completed before the mural can be installed. The Springville Center for the Arts will have to power wash the walls, wire brush the walls, mortar work will need to be done within certain bounds. If there appears to be too much damage to the walls at this time, the project will not proceed. Seth mentioned that the west wall is more concerning than the east wall, but believes the project should move forward and be completed by the end of July 2023.

A sealant will be applied to the wall to help prevent moisture causing further damage to the wall and mural. The base paint on the walls will be a deep sage green color with the overlay paint being sandy beige.

Students from Public Art Corps will be installing the mural under the supervision of Alisia Glasier from the Springville Center for the Arts. Alisia says she has no worries that this project will be completed by the end of July 2023.

The Board asked Seth who would be responsible for the maintenance of the mural. Seth stated that there is no maintenance contract and that the owners of the building would be responsible for this but with the quality of the paint, the mural could last as long as ten (10) years.

Seth also mentioned that a special sealant is applied after the mural is installed which would make it easier to remove any graffiti and dirt from the wall without hurting the integrity of the mural.

Don Orton asked about the size of the mural and informed by the Village Attorney Paul Weiss that our Design Standards do not address what percentage of a building can be used as a canvas.

Helen Brogan brought up a mural that was installed on 31 E. Main Street back in 2020 and that the Springville Center for the Arts never finished the project and left the door unfinished and asked why they stopped at the door on this application as well. Seth informed her that this part of the building is sided and the paint will not adhere to that. Seth was going to investigate the prior application from 2020 as to why the door was never addressed and left out of the mural.

Bill Skura made the motion to approve the application as presented along with the work to prepare the wall including the power washing, brushing, mortar repair, etc., before applying the mural, seconded by Eric Tuberdyke. All in favor, none opposed, Don Orton abstained.

The second Certificate of Appropriateness that needed to be revisited is for a Mural at 52 E. Main Street. This building is much different than the building located at 57 W. Main Street since this building is a conforming building in the Historic Preservation District.

Max Collins would like to install a wheat paste mural of Bertrand Chaffee onto the side of the building to cover up some graffiti that was painted on the building at a prior time. The portrait of Bertrand Chaffee will have a “whimsical” feel to it since the artist would like to have Bertrand Chaffee adorned in pink/red heart shaped sunglasses.

There was much discussion in regards to painting exterior bricks in the Historic District as well as just removing the graffiti that already exists there.

Seth explained that this mural will be used to cover the existing graffiti and will only be seen from a few angles. It will be temporary and he is even willing to remove the portrait himself by November 1, 2024.

David Ploetz from the Concord Historical Society asked if he could address the Board before a decision on the Certificate could be made.

David feels that the portrait of Bertrand Chaffee should not have the glasses added as a “whimsical” part of the Mural. He believes that Bertrand Chaffee should be portrayed with more dignity than that. He mentioned that he would be OK with a colored bowtie instead of the glasses.

Janine Caimano was also invited up to speak to the Board before a decision on the application is made. She wants to know why the Springville Center for the Arts wants to cover up something that is non historic (the graffiti) with something else that is non historic. She does not want to see Bertrand Chaffee look like a joke with the glasses that are proposed. Janine also believes that the Springville Center for the Arts is bullying the Village and believes that murals that they have installed in the past look horrible and makes the Village look like a third world country.

Helen Brogan made the motion to TABLE the application so that the Board has more time to review and discuss options for this and future Murals. Seconded by Don Orton. All in favor, none opposed and Bill Skura abstained.

The Board decided to schedule a Special Work Session for 5/30/2023 at 7pm. This will be held at 65 Franklin St., 2nd Floor and they are meeting to discuss guidelines for murals.

Chairman Skura asked for a motion to approve the minutes from the April 10, 2023 meeting.

Don Orton made the motion to approve the minutes, seconded by Eric Tuburdyke. All in favor, none opposed.

Don Orton made the motion to adjourn at 9:40 pm, seconded by John Baronich. All in favor, none opposed.

Respectfully Submitted,

Jennifer Blumenstein