

VILLAGE OF SPRINGVILLE  
2022 MINUTES

September 11, 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	Lindsay Buncy Reed Braman Mary Padasak Terry Skelton
Village Administrator	Liz Melock
Superintendent of Public Works	Duane Boberg
Police Officer in Charge	Nick Budney
Village Attorney	Paul Weiss
Building Inspector/ Code Enforcement Officer	John Baker
Deputy Clerk	Holly Murtiff
Also Attending Herb Lux Audra Towsley	Max Borsuk, Springville Journal Tara Lowry Rob Scharf
Absent	Marc Gentner, Fire Chief

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

All attending observed a moment of silence to honor all those who lost their lives on 9/11.

1. Minutes Minutes of the Regular Meeting of August 14, 2023 were approved as written by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed.

**PUBLIC COMMENT**

Mayor Michaels opened the public comment portion of the meeting.

Herb Lux owner of 137 Elm Street, addressed the Board regarding the recent driveway apron work done at this address.

Mayor Michaels closed the public comment.

**DEPARTMENT REPORTS**

**ADMINISTRATOR REPORT**

2. Justice Court New Hire Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to appoint Katie Cooper as a Clerk PT assigned to court at a salary of \$18 per hour effective September 12, 2023.
3. JCAP Grant Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to authorizing Mayor Michaels to sign the JCAP grant for the Springville Court in an amount up to \$30,000.
4. Cable Franchise Public Hearing Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed to authorize Administrator Melock to advertise for a Public Hearing for Cable Franchise Agreement to be held on October 2, 2023 at 7:01 pm.
5. CDBG Public Hearing Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to authorize Administrator Melock to advertise for a Public Hearing for the Community Development Block Grants (CDBG) to be held on October 2, 2023 at 7:02 pm.
6. MEUA Annual Meeting 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 MEUA Annual Meeting Delegate Resolution on October 11-12 which names Administrator Melock the voting delegate for the Village of Springville.
7. NYMPA Semi-Annual Meeting Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to approve the NYMPA Semi-Annual Meeting Delegate Resolution on October 12th which names Administrator Melock the voting delegate for the Village of Springville.
8. Fire Department Surplus 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 declaring the below item surplus from the Fire Department and to be disposed of via Auctions International or scraped.

8 – complete Scott air packs	2 – 5” hose ramps
8 – face masks	1 – portable suction
18 – extra bottles	Various oxygen EMS bags
9. Phone Surplus 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 Mitel 5330 & 5340 desk phones as surplus and to be disposed of via Auctions International.

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 August 2023.
- Village tax collection is ongoing until October 31, 2023. Penalties accrue each month.

### **SUPERINTENDENT REPORT**

10. Surplus Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to declaring surplus the 2010 Terex roller (Streets Division) and the 1998 E-350 cube van (Electric Division) both going to Auctions International.

Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to declaring surplus Mark 5 circuit switchers (2) from North Street Sub Station. They are being replaced with new ones. There is a possible sale pending to another municipality.

11. Temp Service Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to provide a temporary water service to the Wetzl construction site on West Main Street. There will be a \$300 start up fee and the cost for water will be \$20 per one thousand gallons.

### **POLICE DEPARTMENT**

Officer in Charge Budney reported on the following;

- SPD report for August 2023
- ECSO report for August 2023

### **FIRE DEPARTMENT**

In Chief Gentner's absence Administrator Melock reported on the following;

- Calls
- Training
- Activity

### **BUILDING INSPECTOR/CEO**

BI/CEO Baker discussed the following;

- There has been a development inquiry regarding a possible 84 homes in the area of 206 Elk Street (Dygert Farm). All attending discussed the matter.
- There is nothing in our current code regarding accessory dwelling homes and BI/CEO Baker feels this should be looked into.
- CI/CEO Baker feels the fee schedule should be reviewed.

### **CONTROL CENTER**

The Control Center report was read by this evening Trustee Braman this evening outlining;

- Personnel
- Equipment
- Calls for August 2023

### **NEW BUSINESS**

12. Ag District Application Mayor Michaels read the attached public notice regarding the Inclusion of Predominantly Viable Agricultural Lands into Existing Agricultural Districts. **09112023 A.1**
13. Public Arts Policy The Historic Preservation Commission is ready to adopt the Public Arts Policy. All attending discussed the matter and suggested a committee review the policy again. Mayor Michaels and Trustee Braman will review it concentrating on the question of who will maintain public art.

**OLD BUSINESS**

There was no old business to discuss this evening.

**BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #80 – 101 of 2023/2024 total of \$356,096.76 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, Buncy and Padasak voting yes, none opposed.

**PERMITS AND APPLICATIONS**

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

Minutes of the Historic Preservation Commission meeting on July 10, 2023.

PROJECT: 0000010337 - SWIMMING POOLS                      TYPE: SWIMMING POOLS  
PROPERTY: 205 NEWMAN ST  
ISSUED DATE: 8/04/2023  
ISSUED TO: MORAN, MICHAEL  
205 NEWMAN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010338 - RESIDENTIAL ALTERATION          TYPE: RESIDENTIAL  
ALTERATION  
PROPERTY: 175 WOODWARD AVE  
ISSUED DATE: 8/11/2023  
ISSUED TO: BATTERSON, DAVE  
41 OHIO ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010339 - VIOLATION-TRASH AT CURB          TYPE: VIOLATION  
PROPERTY: 218 NEWMAN ST  
ISSUED DATE: 8/11/2023  
ISSUED TO: BEATTY, GREG  
367 E. MAIN ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010340 - ROOFING                                          TYPE: ROOF  
PROPERTY: 115 PEARL ST  
ISSUED DATE: 8/14/2023  
ISSUED TO: HEBDEN, BARBARA D  
115 PEARL ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010341 - ROOFING                                          TYPE: ROOF  
PROPERTY: 115 PEARL ST  
ISSUED DATE: 8/14/2023  
ISSUED TO: HEBDEN, BARBARA D  
115 PEARL ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010342 - ROOFING TYPE: ROOF  
PROPERTY: 105 PEARL ST  
ISSUED DATE: 8/14/2023  
ISSUED TO: HEBDEN, BARBARA D  
115 PEARL ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010343 - SHEDS, UP TO 144 SQ.FT. TYPE: SHEDS  
PROPERTY: 176 WAVERLY ST  
ISSUED DATE: 8/14/2023  
ISSUED TO: TREMBLAY, GEMMA  
176 WAVERLY ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010344 - FENCES TYPE: FENCES  
PROPERTY: 185 ELK ST  
ISSUED DATE: 8/16/2023  
ISSUED TO: KOWALSKI, KIMBERLY  
185 ELK ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010345 - SWIMMING POOLS W/GAZEBO TYPE: SWIMMING POOLS  
PROPERTY: 121 MILL ST LWR  
ISSUED DATE: 8/16/2023  
ISSUED TO: MORRISON, JOEL  
121 MILL ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010346 - UTILITY CHANGES-WATER TYPE: PLUMBING  
PROPERTY: 240 S CASCADE DR  
ISSUED DATE: 8/17/2023  
ISSUED TO: RANDALL, THOMAS & SUSAN  
25 ACADEMY ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010347 - NONRES NONSTRUCTURAL TYPE: NONRES  
PROPERTY: 40 E MAIN ST NONSTRUCTURAL  
ISSUED DATE: 8/18/2023  
ISSUED TO: BRAMER, CINDY  
40 E MAIN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010348 - ACCESSORY BUILDING TYPE: ACCESSORY  
PROPERTY: 565 NORTH ST BUILDINGS  
ISSUED DATE: 8/18/2023  
ISSUED TO: BELSCHER, RUSSELL  
565 NORTH ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010349 - RESIDENTIAL ALTERATION TYPE: RESIDENTIAL  
ALTERATION  
PROPERTY: 565 NORTH ST  
ISSUED DATE: 8/18/2023  
ISSUED TO: BELSCHER, RUSSELL  
565 NORTH ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010350 - DECKS TYPE: DECKS  
PROPERTY: 176 WAVERLY ST  
ISSUED DATE: 8/22/2023  
ISSUED TO: TREMBLAY, GEMMA  
176 WAVERLY ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010351 - ROOFING TYPE: ROOF  
PROPERTY: 130 ELK ST  
ISSUED DATE: 8/23/2023  
ISSUED TO: MONTRALLO, JESSIE  
925 EXCHANGE ST  
ROCHESTER, NY 14608

PROJECT: 0000010352 - NONRESIDENTIAL DEMO TYPE: NONRESIDENTIAL  
PROPERTY: 34 SPRING ST DEMO  
ISSUED DATE: 8/23/2023  
ISSUED TO: MAJESTIC CUSTOM CARPENTRY  
484 MAIN STREET, SUITE 201  
EAST AURORA, NY 14052

PROJECT: 0000010353 - ACCESSORY BUILDING TYPE: ACCESSORY  
BUILDINGS  
PROPERTY: 34 SPRING ST  
ISSUED DATE: 8/23/2023  
ISSUED TO: MAJESTIC CUSTOM CARPENTRY  
484 MAIN STREET, SUITE 201  
EAST AURORA, NY 14052

PROJECT: 0000010354 - DECKS TYPE: DECKS  
PROPERTY: 44 CHILDS ST  
ISSUED DATE: 8/23/2023  
ISSUED TO: CHEVALIER LAWN & LANDSCAPE  
9580 NEW YORK 39  
SPRINGVILLE, NY 14141

PROJECT: 0000010355 - UTILITY CHANGES-PLUMBING TYPE: PLUMBING  
PROPERTY: 48 ALBRO AVE  
ISSUED DATE: 8/23/2023  
ISSUED TO: KIEFHABER, CHRIS  
255 FIRE TOWER DR  
TONAWANDA, NY 14150

PROJECT: 0000010356 - GARAGE SALE TYPE: GARAGE SALES  
PROPERTY: 125 CATTARAUGUS ST  
ISSUED DATE: 8/24/2023  
ISSUED TO: BERKLEY, GERALD  
125 CATTARAUGUS ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010357 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 70 SMITH ST  
ISSUED DATE: 8/24/2023  
ISSUED TO: MCILREATH, ROBERT J  
11929 FISHER RD  
CHAFFEE, NY 14030

PROJECT: 0000010358 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 118 S CENTRAL AVE  
ISSUED DATE: 8/24/2023  
ISSUED TO: KNAB, TIM  
118 S CENTRAL AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000010359 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 5 PROSPECT AVE  
ISSUED DATE: 8/24/2023  
ISSUED TO: DOWNING, JASON  
5 PROSPECT AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000010360 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 119 N CENTRAL AVE  
ISSUED DATE: 8/24/2023  
ISSUED TO: HERC PROPERTIES, LLC  
7659 ABBOTT HILL ROAD  
BOSTON, NY 14025

PROJECT: 0000010361 - VIOLATION-VEHICLE TYPE: VIOLATION  
PROPERTY: 69 ELK ST LWR  
ISSUED DATE: 8/24/2023  
ISSUED TO: BATTERSON, DAVID C  
52 PEARL ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010362 - VIOLATION-VEHICLE TYPE: VIOLATION  
PROPERTY: 150 ELK ST  
ISSUED DATE: 8/24/2023  
ISSUED TO: MONGILLO, JASON & EMILY  
150 ELK ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010363 - VIOLATION-VEHICLE PROPERTY: 72 CHILDS ST ISSUED DATE: 8/24/2023 ISSUED TO: GOLLER, GERALD 72 CHILDS ST. SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000010364 - VIOLATION-VEHICLE PROPERTY: 426 E MAIN ST ISSUED DATE: 8/24/2023 ISSUED TO: MORLOK, BRENDA PO BOX 147 LEWISTON, NY 14092	TYPE: VIOLATION
PROJECT: 0000010365 - VIOLATION-VEHICLE PROPERTY: 434 E MAIN ST ISSUED DATE: 8/24/2023 ISSUED TO: PATTON, STEPHAN 434 E MAIN ST SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000010366 - GARAGE SALE PROPERTY: 315 W MAIN ST ISSUED DATE: 8/25/2023 ISSUED TO: GENTNER, AMANDA 315 W MAIN ST SPRINGVILLE, NY 14141	TYPE: GARAGE SALES
PROJECT: 0000010367 - NONRES NONSTRUCTURAL PROPERTY: 17 E MAIN ST ISSUED DATE: 8/28/2023 ISSUED TO: ZENNER & RITTER INC 3404 BAILEY AVE BUFFALO, NY 14215	TYPE: NONRES NONSTRUCTURAL
PROJECT: 0000010368 - ROOFING PROPERTY: 38 WOODWARD AVE ISSUED DATE: 8/29/2023 ISSUED TO: KING, LAURIE 38 WOODWARD AVE SPRINGVILLE, NY 14141	TYPE: ROOF
PROJECT: 0000010369 - SIGNS PROPERTY: 202 S CASCADE STREET ISSUED DATE: 8/31/2023 ISSUED TO: RANDY DINATOLE 1464 MAIN STREET BUFFALO, NY 14209	TYPE: SIGNS



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PROJECT: 0000010370 - NONRES NONSTRUCTURAL      TYPE: NONRES  
PROPERTY: 202 S CASCADE ST      NONSTRUCTURAL  
ISSUED DATE: 8/30/2023  
ISSUED TO: SPRINGVILLE CENTER LLC  
202 S CASCADE ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010371 - SWIMMING POOL      TYPE: SWIMMING POOLS  
PROPERTY: 63 RAUCH DRIVE  
ISSUED DATE: 8/31/2023  
ISSUED TO: RICCI, LISA  
63 RAUCH DRIVE  
SPRINGVILLE, NY 14141

PROJECT: 0000010372 - EVENT      TYPE: EVENT  
PROPERTY: 65 FRANKLIN STREET  
ISSUED DATE: 9/01/2023  
ISSUED TO: SOUTHTOWNS BARK PARK INC.  
P.O. BOX 335  
SPRINGVILLE, NY 14141

#### **VILLAGE ATTORNEY REPORT**

Attorney Paul Weiss had nothing to report this evening.

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

Trustee Braman had nothing to report this evening.

Trustee Padasak had nothing to report this evening.

Trustee Buncy had nothing to report this evening.

Trustee Skelton commented on how nice the flowers look downtown this year.

Mayor Michaels commented on the following;

- Southtown Bark Park Inc. will be holding a dog walk fund raiser on 9/30/23 to raise funds for a dog park in our area.

14. Executive Session      Motion was made by Trustee Braman, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Braman, Skelton, Buncy and Padasak voting yes, none opposed to go into Executive Session at 7:51pm to discuss 137 Elm Street and an Electric personnel matter.
15. Adjourn      Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to adjourn the Regular Session at 8:27 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk