

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

November 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 November 6, 2023 **A.1**
 - Executive Session Minutes of November 6, 2023 **A.2**
4. PUBLIC COMMENT
5. DEPARTMENT REPORTS
 - A. ADMINISTRATOR **A.3**
 - B. SUPERINTENDENT'S REPORT **A.4**
 - C. POLICE
 - D. FIRE DEPARTMENT
 - E. BUILDING INSPECTOR/CEO
 - F. CONTROL CENTER
6. NEW BUSINESS
7. OLD BUSINESS
 - Adopt/Table Revised Public Arts Policy **A.5**
8. BILLS
9. PERMITS AND APPLICATIONS
10. VILLAGE ATTORNEY REPORT
11. TRUSTEE NOTES & PROJECT REPORT
12. TREE COMMITTEE REPORT
13. EXECUTIVE SESSION
14. ADJOURN

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ATTACHMENT NO. A1

VILLAGE OF SPRINGVILLE 2023 MINUTES

AGENDA DATE 11/20/23

November 6, 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 Terry Skelton Mary Padasak (via remote connection)
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	Ashley Lowry, Springville Journal
Absent	Marc Gentner, Fire Chief
all others see attached sign in sheet 11062023 A.1	

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

1. Minutes Minutes of the Regular Meeting of October 16, 2023 were approved as written by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman and Buncy voting yes, none opposed.

PUBLIC COMMENT

Attendees 1-7 (see **11062023 A.2**) spoke at up to this point when motion was made by Mayor Michaels, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Skelton voting yes, none opposed to move New Business up to this point of the meeting and to continue Public Comment after that.

NEW BUSINESS

2. Dygert Farm/
Housing Project At this time the Mayor and Board discussed the conceptual plans (see **11062023A.3**) submitted for the Dygert farm property. It was stated that a new SEQRA form was submitted at approximately 4:00 pm today. Potential purchasers of the property have submitted their first concept drawings that outline ideas of a housing development at this site. After further discussion the Mayor, Board

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November 6, 2023

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and Village Attorney all stressed that this is all conceptual at this point and there is much more work that must be done before anything can begin on this project. It was also stressed that the next step is the Public Hearing before the Planning Board on November 28, 2023 at 7:00 pm in the 65 Franklin St. courtroom. This is an opportunity for the public to attend to get more details as well as ask questions regarding the proposed project. Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to close New Business and return to the Public Comment portion of the meeting.

PUBLIC COMMENT (continued)

Attendees 8 – 23 addressed the Mayor and Board regarding the proposed housing development.

At this time Village Attorney Paul Weiss reiterated that the amended SEQRA form was received today and will be referred to the respected agencies. He also advised everyone to look at the NYS DEC website which has a “cookbook” for SEQR. The Village website will have the amended SEQR and the link for NYS DEC on the village’s front website page. Village Attorney Weiss recommended the Village Board does not state their opinion until the SEQR has been reviewed.

Bev Kirkpatrick of 58 Rauch addressed the Board and OIC Budney regarding the Village’s emergency plan.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

3. 23/24 Unpaid Taxes
Motion was made by Trustee Braman, seconded by Mayor Michaels; carried, Mayor Michaels, Trustees Braman, Buncy, Padasak and Skelton voting yes, none opposed to approve the return of unpaid Village of Springville 2023/2024 village taxes to Erie County relevy onto the next town/county tax bills.
4. Lowe’s Home Center Sanitary Sewer Line
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 any and all documents approved by the Village Attorney Paul Weiss to accept the sanitary sewer line from Lowe’s Home Center from 2006. The resolution and the Dedication and Assumption Agreement are **11062023 A.4**
5. Financial Statements
Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to acknowledge that the financial statements have been audited and they are available on the village website.

Administrator Melock discussed the following;

- Financial reports (Treasurer’s Report) – Balance Sheets, Rev & Exp Summaries have been submitted to the village board for Oct. 2023.
- No Overnight parking on village streets and in village parking lots except for areas marked for overnight parking starts Nov 10 – April 1st from 2-7 am.

SUPERINTENDENT REPORT

6. Blumenstein end of probation
Upon the recommendation of Superintendent Boberg, motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and

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Padasak voting yes, none opposed to approve the permanent employment of Norman Blumenstein on November 16, 2023 as he has successfully completed his 6 month probation. Wages will be as per the union contract.

Superintendent Boberg added that the limb pick up for the year is finished. The Streets Dept. will be picking up leaves until it snows.

POLICE DEPARTMENT

Officer in Charge Budney reported on the following;

- October 2023 SPD report
- October 2023 ECSO report
-

FIRE DEPARTMENT

In the absence of Fire Chief Gentner the SVFD report was read by Administrator Melock on the following;

- membership
- equipment
- training
- calls for October 2023

BUILDING INSPECTOR/CEO

BI/CEO Baker discussed the following;

- O'Reilly Auto Parts final inspection
- T Mobile will be opening next week
- Misc. inspections at the Wetzel housing development

CONTROL CENTER

The October 2023 Control Center report was read by Trustee Braman.

NEW BUSINESS

Moved to the earlier portion of the meeting.

OLD BUSINESS

There was no new business to discuss this evening.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #121 – 136 of 2023/2024 total of \$385,743.17 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 Braman; carried, Mayor Michaels,

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Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed to accepting the permits and applications below.

PROJECT: 0000010413 - ROOFING PROPERTY: 149 WOODWARD AVE ISSUED DATE: 10/11/2023 ISSUED TO: KLAHN, ETHAN 10231 EDIES ROAD SPRINGVILLE, NY 14141	TYPE: ROOF
PROJECT: 0000010414 - FENCES PROPERTY: 174 NEWMAN ST ISSUED DATE: 10/13/2023 ISSUED TO: SCHRADER, CORA 174 NEWMAN ST SPRINGVILLE, NY 14141	TYPE: FENCES
PROJECT: 0000010415 - EVENT-FALL FEST PROPERTY: 5 W MAIN ST VO ISSUED DATE: 10/17/2023 ISSUED TO: REVIVE WESLEYAN 4999 MCKINLEY PARKWAY HAMBURG, NY 14075	TYPE: EVENT
PROJECT: 0000010416 - DECKS PROPERTY: 99 CHURCH ST ISSUED DATE: 10/17/2023 ISSUED TO: BOND, JAMIE 99 CHURCH ST SPRINGVILLE, NY 14141	TYPE: DECKS
PROJECT: 0000010417 - UTILITY CHANGES-ELECTRIC PROPERTY: 329 WAVERLY ST ISSUED DATE: 10/18/2023 ISSUED TO: IN CHARGE ELECTRIC 9897 WARNER GULF ROAD HOLLAND, NY 14080	TYPE: ELECTRIC
PROJECT: 0000010418 - UTILITY CHANGES-PLUMBING PROPERTY: 144 N CENTRAL AVE ISSUED DATE: 10/18/2023 ISSUED TO: REHRAUER, COLBY 144 N CENTRAL AVE SPRINGVILLE, NY 14141	TYPE: PLUMBING
PROJECT: 0000010419 - RESIDENTIAL ALTERATION PROPERTY: 122 NORTH ST ISSUED DATE: 10/20/2023 0 ISSUED TO: PELC, CHRISTINA 17 SHARON PRKWY BUFFALO, NY 14218	TYPE: RESIDENTIAL ALTERATION

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PROJECT: 0000010420 - EVENT5K RUN GOBBLE FOR GROCERIES TYPE: EVENT
PROPERTY: 38 FRANKLIN ST
ISSUED DATE: 10/20/2023
ISSUED TO: SPRINGVILLE KIWANIS
PO BOX 104
SPRINGVILLE, NY 14141

PROJECT: 0000010421 - HISTORIC PRESSERVATION-PAINTING TYPE: HISTORIC
PROPERTY: 45 E MAIN ST PRESERV REVIEW
ISSUED DATE: 10/23/2023
ISSUED TO: BUNCY, KEVIN
89 S CENTRAL AVE
SPRINGVILLE, NY 14141

PROJECT: 0000010422 - HISTORIC PRESSERVATION-FACADE TYPE: HISTORIC
PROPERTY: 69 E MAIN ST PRESERV REVIEW
ISSUED DATE: 10/23/2023
ISSUED TO: DJ2 PROPERTIES, LLC
23 MECHANIC ST
SPRINGVILLE, NY 14141

PROJECT: 0000010423 - ROOFING TYPE: ROOF
PROPERTY: 455 N CASCADE DR
ISSUED DATE: 10/25/2023
ISSUED TO: KLAUS ROOFING SYSTEMS OF WNY
950A UNION ROAD
WEST SENECA, NY 14224

PROJECT: 0000010424 - UTILITY CHANGES-PLUMBING TYPE: PLUMBING
PROPERTY: 109 N BUFFALO ST
ISSUED DATE: 10/26/2023
ISSUED TO: B & R PLUMBING HEATING & A/C
241 PALMER STREET
GOWANDA, NY 14070

PROJECT: 0000010425 - UTILITY CHANGES-PLUMBING TYPE: PLUMBING
PROPERTY: 119 NEWMAN ST
ISSUED DATE: 10/27/2023
ISSUED TO: HODY, JOHN
119 NEWMAN ST.
SPRINGVILLE, NY 14141

VILLAGE ATTORNEY REPORT

Attorney Paul Weiss informed everyone that he will be serving as the Prosecutor in the 12/6/23 trial regarding the property at 426 East Main Street.

TRUSTEE NOTES & PROJECT REPORTS

Trustee Padasak said she appreciated the input from the community regarding the proposed Dygert Farm development.

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November 6, 2023

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Trustee Braman informed everyone that there will be a NARCAN training on November 8th at the SGI High School. He also commented that he was happy to see so many people attending this evening.

Trustee Buncy said she feels it a good thing for all this community engagement. She also reminded everyone that on November 25th is A Very Merry Main Street for 10 am – 4 pm.

Trustee Skelton thanked the DPW for the great work they continue to do on the leaf pickup. He also thanked the community for turning out to discuss the proposed housing development.

Mayor Michaels commented on the following;

- On 11/11 at 11:00 am there will be a program in Shuttleworth Park honoring Veterans this Veteran's Day.
- he appreciates everyone's input this evening.

7. Executive Session Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to adjourn to Executive Session at 8:34 pm to discuss a Court Personnel matter.

8. Court Matters Upon return from Executive Session, 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 an unpaid medical leave of absence effective upon her first day of medical need for Court Clerk Courtney Arbeiter.

Motion was made by Trustee Braman, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Braman, Skelton, Buncy and Padasak voting yes, none opposed to extending the consulting services in the Village Court of Marie Falzone for a period of 1/31/24 – 3/31/24.

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to grant a \$1.00 per hour raise to Courtney Arbeiter effective 11/7/23.

9. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to adjourn the Regular Session at 8:52 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

11062023 A.1

VILLAGE BOARD MEETING

Village of Springville

Date:

11/6/23

PLEASE SIGN IN

PRINT NAME

ADDRESS

Miller Linda + Daniel

475 Vaughn St.

Steve & Jill Pidsadnick

39 Childs St. Springville

Charles Feldman

117 Cattaraugus St Springville

JOHN PIZZUTI

6 S. EDGEMOOD DR SPRINGVILLE

Rod & Lori DAVIS

153 Childs St, Springville

Rebecca Rothfuss

37 S. Central #4

Lanny Thompson

37 S. Central #4

Davis Davis

Rauch Dr.

Jenny Skinner

63 Prospect Ave

Lindsey + Thomas Beuler

40 S Edgewood Dr

Elly + Jim Dupre

46 Rauch Dr.

Frank Lewis

84 S. Edgewood

Jess Donist

89 East Ave.

Sarah Adleson

122 East Ave

Don & Deb Bennett

13660 East Ave

Dan + Neva DeWald

13648 East Ave

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

PRINT NAME

ADDRESS

John Galvin	105 W. Edgwood Dr.
Ashley Lowry	Springville Journal
Bryan + Sarah Palsen	73 Childs St
Jonathan Maybray	69 Ellis Ave
Lynn Rogers	67 Ranch Dr.
Kylee Amy Gregoire	81 Childs St.
Tim + Michelle Bain	10 S. Edgwood Dr.
Mary Carl Deauin	6471 Genesee Rd.
Joanne Solomon	28 Ranch Dr.
Ann	29 Ranch Dr.
Cher Wheeler	14069 Mill St
Sarah Wheeler	78 Cattaraugus St
Irene Lockwood	149 Cattaraugus St.
Tara Lowmy	Boston
Robert Ehart	168 Elk St
Patricia Smith	136 W Edgwood Dr

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

PRINT NAME

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Sue Burdick	125 East Ave
Ber Kirkpatrick	58 RAUCH DR
Jany Kirkpatrick	58 RAUCH DR
Maureen McNamara-White	98 Elk St. Sp
Mary Cudney	110 Elk St.
Judie Francisco	110 Prospect
Monika Harrigan	87 Elk St.
DESIJUS DAINS	126 EAST AVE
Jim Shriver	56 Elm St.
John NASON	87 SEdgewood
MARTIN KREBS	8903 CATTARAUGUS ST.
Norm + Jen Blumenstein	8910 Cattaraugus St -
Andy + Julie Dolasondau	150 East Ave.
Joseph Shepard	133 Cattaraugus Street
Cheryl Galvin	105 West Edgewood Drive
Kathleen Carlson	95 W Edgewood Dr

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

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Murphy Smith	136 W. Edgewood Dr
James & Susan Bealask	136 East Ave Springville
Tyler Sullivan	155 Rauch Dr. Springville
James & Christy Duprey	133 W. Edgewood Dr. Springville
Lori L. Backhaus	173 Cattaraugus St Springville
Christine Small	366 N Buffalo St.

THANK YOU

Public Comment from Nov 6, 2023 Board meeting

1. Denny Dains – 126 East Ave – rural residential, cluster housing, detriment to the community, 8500 sq ft lots will be able to hear people flush their toilets. 200 cars a day on side streets. Against the project.
2. Martin Krebs – 8903 Cattaraugus St – ill conceived development. Should be compatible with existing East Hill residents. Over 250 cars. Improvements needed to Cattaraugus St to handle car volume. Doesn't want traffic patterns. 10 acres of pavement. Will if damage aquifer. Historic location of Erie County Fair. Make it a less dense neighborhood.
3. Andrew Delasandro – 150 East Ave – not opposed to homes added to the neighborhood. SEQR traffic question wrong and additional demand for energy. Who is paying for sidewalks in his neighborhood.
4. Joseph Shepard – 133 Cattaraugus St – close to things. Doesn't want the traffic or noise. Does not want to become Cheektowaga or West Seneca. Who does this help.
5. Jeff Brecker – 37 Sunset Lane – walks dog by the Dygert Farm. Shocked at how tight the housing is. Lived in Cheektowaga and moved here 8 years ago. 30-40 houses rest is money grab. Tons of concrete and tearing down a farm. Change plan. Make it ¾ to 1 acre lots. Not another Cheektowaga.
6. Don Gernatt – 13660 East Ave & 9140 Cattaraugus St – farm the east boarder to Rte 240. Not against housing against density on the property. Pete has the right to sell his property. Vandalism at his farm.
7. John Gavin – 105 W. Edgewood – make a motion to push new business up.

Jeff Palumbo, attorney for purchaser and Mike Metzger, engineer were present. Jeff explained that there are three types of homes – traditional homes, townhomes and smaller patio homes. Current zoning would allow denser homes. Rezone only comes in with townhomes. Willing to sit with the neighbors to come up with a plan. Energy requirement with SEQR is only for commercial or industrial. If the concept is changed to remove the townhomes than the process is shorter. Property is zoned R8.5. Request for rezone to RM is for townhomes. Concept plan is 29 Single homes, 43 patio homes and 18 4-unit townhomes. They are not building homes that fall apart in 10 years. Purchasers own a nail salon and Chinese restaurant. 39 acres of property.

Paul Weiss – Village Board to send documents to other agencies. The board has to consider environmental impact during the discretionary info. Nov 28th is the Planning Board meeting.

8. Mary Carol Dearing -- 6471 Genesee Rd – brought up public art, pastoral settings.
9. Julie Francisco – 110 Prospect – Are we a Right to Farm Community. Traffic.
10. Rebecca Rothfuss – 37 S. Central – Real plan 40-50 homes up there.
11. Lindsay Bueler – 40 S. Edgewood – quiet dead-end street is going to be a pass through to Cattaraugus St. When should she sell her home.
12. Frank Lerminaux – 84 S. Edgewood – against this project. Bought home from Nason Delivery. Pete left for Florida and he said nothing is final till Feb. Traffic concerns.

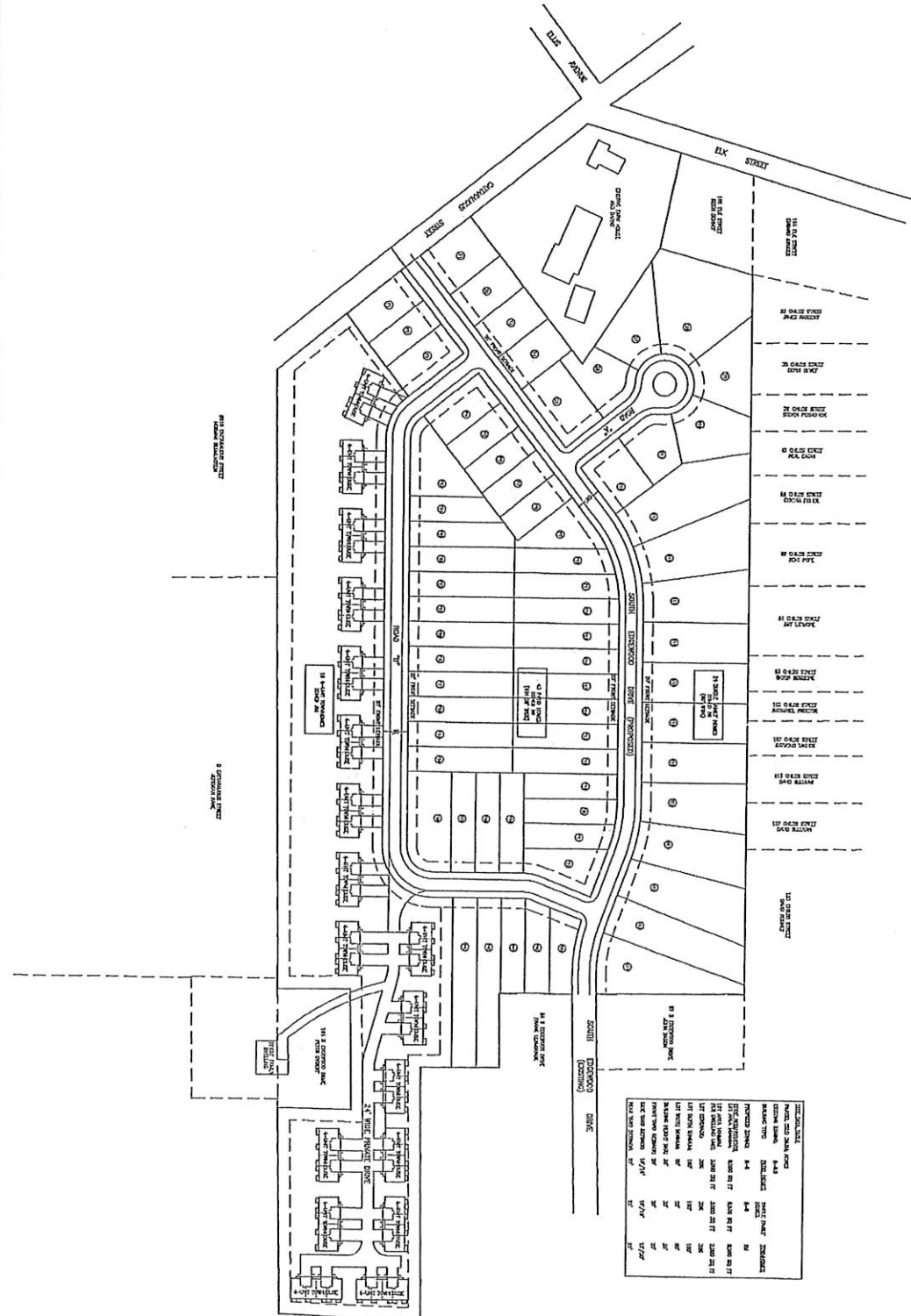
13. Jeremiah Cain – Catt – Elk & Glenwood – history of the farm. Village should acquire the land and incorporate into a park. 38 acres. Why strip homes. 219 corridor is for patio homes. Tiny plot and turn into homes for transients. Found out on Facebook. Special spot in the community.
14. Dan Dewald – 13648 East Ave – property backs up to the Village. Ravine between project and his property. No forest area removed.
15. Steve Pidsadnick – 39 Childs – against housing. Walked the farm. Had book Pete Dygert wrote on the history. Land is too precious.
16. Bob Muhlbauer – Planning Board Chairman – Nov 28th is the Planning Board meeting. Appreciated everything everyone has said. Welcome your input at PB meeting. Zoning is for single family homes they are looking for RM. Meeting is at 7 pm in the same room. Comments can be emailed to Liz Melock at the village office.
17. Jen Skinner – 63 Prospect – neighbors had to give their approval. Is the sale of the property contingent on the board's approval. Purchaser said yes, it is.
18. Madison Beuler – 40 S. Edgewood. – 20 kids are already in each class at SGI with one teacher. There will be double that with this development. Kids are failing already.
19. Julie Francisco – 110 Prospect – currently zoned R 8.5. when was it changed.
20. Maureen Uhteg – 98 Elk St – always been 100% happy and never felt a need to come to a meeting. Not against the housing but is against it. Park is the #1 idea. Preserve rural community.
21. Brian Ford – 104 W. Edgewood – kids 9,6,1 quiet place – cul-de-sac. traffic pattern taken into account. Streets are handled in Planning Board.
22. John Nason – 87 S. Edgewood – friend of Pete's – has a right to sell the property. Concerns about fire trucks and school buses with the roads in development.
23. Dan Dewald – 13648 East Ave – environmental form incorrect.

Paul Weiss – amended form received today will be referred to the respected agencies. NYS DEC website has a cookbook for SEQR. Village web site will have amended SEQR and link for NYS DEC on the front page. Paul recommended the village board does not state their opinion until SEQR has been reviewed.

Bev Kirkpatrick – 58 Rauch – wanted to know what was the village's plan for illegal aliens, asteroids, riots. She spoke with Liz previously and OIC Nick Budney explained the network of Police and emergency personnel to her.

ATTACHMENT NO. **A3**

AGENDA DATE **11/6/23**



NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	11/17/22	EMC
2	REVISIONS	11/17/22	EMC
3	REVISIONS	11/17/22	EMC
4	REVISIONS	11/17/22	EMC
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100	REVISIONS	11/17/22	EMC

©2023 METZGER CIVIL ENGINEERING, PLLC

PROJECT NO. 206 ELK STREET
 206 ELK STREET
 SPRINGDALE, NY 14224

DATE: 11/17/22
 DRAWN BY: EMC
 CHECKED BY: EMC

RESIDENTIAL DEVELOPMENT
 206 ELK STREET
 SPRINGDALE, NY 14224
 CONCEPT PLAN

SCALE: 1"=40'

DATE: 11/17/22
 DRAWN BY: EMC
 CHECKED BY: EMC

11062023
A.4

RESOLUTION OF THE VILLAGE OF SPRINGVILLE, ERIE COUNTY, NEW YORK ACCEPTING THE SANITARY SEWER LINE FROM LOWE'S HOME CENTERS, LLC, F/K/A, LOWE'S HOME CENTERS, INC. FOR THE PROPERTY LOCATED ON SOUTH CASCADE DRIVE, (F/K/A, U.S. ROUTE 219), THROUGH A DEDICATION AND ASSUMPTION AGREEMENT.

WHEREAS, in or about 2006, **LOWE'S HOME CENTERS, LLC, F/K/A, LOWE'S HOME CENTERS, INC.**, caused to be constructed a sanitary sewer line on or about South Cascade Drive, (f/k/a, U.S. Route 219), and

WHEREAS, the Village has investigated and determined that accepting the sanitary sewer line with related appurtenances from **LOWE'S HOME CENTERS, LLC, F/K/A, LOWE'S HOME CENTERS, INC.**, meets the standards for assumption by the Village and such assumption would be in the best interest of the Village and business owners along South Cascade Drive, (f/k/a, U.S. Route 219), and

NOW THEREFORE, BE IT RESOLVED that the Mayor of the Village of Springville is authorized to execute a Dedication and Assumption Agreement for public ownership of sanitary sewer line and related appurtenances (the "**Sanitary Sewer Line**") offered for dedication by **LOWE'S HOME CENTERS, LLC, F/K/A, LOWE'S HOME CENTERS, INC.**, (the "Grantor") as shown on the plan and profile prepared for **LOWE'S HOME CENTERS, LLC, F/K/A, LOWE'S HOME CENTERS, INC.**, by T-K Engineering & Design Group, Inc., sheets P-2, P-3, P-4 as more fully described on "**Exhibit A**" attached hereto and made a part hereof; and

FURTHER, BE IT RESOLVED, that the Village of Springville by this Resolution does not accept dedication of any private building laterals, private sewage grinder/ejector pumps, lift stations, or other improvements or land except as expressly set forth in this Resolution; and

PASSED and ADOPTED this _____ day of _____, 2023.

VILLAGE OF SPRINGVILLE

By: _____
Name: Timothy Michaels
Mayor

Attest:

_____ Liz Melock, Village Administrator

**SANITARY SEWER IMPROVEMENTS
DEDICATION AND ASSUMPTION AGREEMENT**

THIS SANITARY SEWER IMPROVEMENTS DEDICATION AND ASSUMPTION AGREEMENT, (the "Agreement") made this _____ day of _____, 2023 by and between **Lowe's Home Centers, LLC**, a North Carolina Limited Liability Company, successor in interest to **Lowe's Home Centers, Inc.**, with an address of 1000 Lowe's Blvd., Mooresville, North Carolina, 28117, authorized to conduct business in New York as a Foreign Limited Liability Company, (the "Grantor"), and **Village of Springville, New York**, a New York Municipal Corporation with an address of 5 West Main Street, Springville, New York (the "Grantee") (collectively, the "Parties").

RECITALS

WHEREAS, the Grantor is the owner of certain real property commonly referred to as 440, South Cascade Drive, (f/k/a, U.S. Route 219) in the Village of Springville, Town of Concord, County of Erie and State of New York, by virtue of a Bargain and Sale Deed recorded in the Erie County Clerk's Office on February 2, 2006 in Liber 11108 of Deeds at Page 9635 and further identified by the Town of Concord Assessor as SBL#: 347-060-3-1.000

WHEREAS, Grantor has caused to be constructed, an 865 foot, more or less, 4 inch, ductile iron sanitary sewer force main and appurtenances in and along the South Cascade Drive (f/k/a, U.S. Route 219), roadway, in the Village of Springville, Town of Concord, County of Erie, and State of New York, as shown upon the plan and profile prepared by T-K Engineering & Design Group, Inc. consisting of sheets P-2, P-3, and P-4 located as more particularly set forth on said plan which is attached hereto and incorporated herein as **Exhibit A** (hereinafter referred to as the "Sanitary Sewer Line").

WHEREAS, Grantor now desires to dedicate said Sanitary Sewer Line and related improvements to the Grantee.

WHEREAS, Grantee has inspected the sanitary sewer lines and appurtenances and finds that they meet the Village's minimum standards for such installations and the Grantee desires to assume ownership and responsibility for said Sanitary Sewer Line and related improvements and to incorporate them into Grantee's sanitary sewer system.

NOW, THEREFORE, the Grantor, for and in consideration of the Grantee accepting said Sanitary Sewer Line and related improvements, and other good and valuable consideration exchanged between the parties, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Grantor, irrevocably hereby grants, transfers, conveys, and assigns to Grantee, its successors and assigns, all right title and interest in and to all of the Sanitary Sewer Line situated and installed in the street right-of-way as depicted and more particularly set forth in **Exhibit A**, excluding the service lateral to Grantor's lift station, sewage grinder/ejection pump, and lift station, together with the right of ingress, egress and regress and the right to install, construct,

reconstruct, replace, remove, enlarge, inspect, operate, repair, maintain and/or make connections thereto.

2. Grantor hereby represents and warrants that it is the rightful and lawful owner of the aforesaid Sanitary Sewer Line; that it has the legal right and authority to convey same to the Grantee; that the Sanitary Sewer Line is free from encumbrances, liens and mortgages; that Grantor will forever warrant and defend title to the Sanitary Sewer Line against all persons whomsoever; that Grantor will execute further assurances of the said Sanitary Sewer Line as may be reasonably required by Grantee, and that Grantor has done no act to encumber the said Sanitary Sewer Line.

3. The Grantee, by executing this Agreement, accepts the dedication and transfer hereby evidenced and agrees that it will hereafter supervise, maintain, and repair said Sanitary Sewer Line and will incorporate it into its sanitary sewer system, excepting, however, the lateral service to Grantor's lift station, its lift station, sewage grinder/ejector pump, and any and all other private laterals, private sewage grinder/ejector pumps from the Sanitary Sewer Line to the adjacent and/or serviced properties as part of the Grantee's sanitary sewer system.

4. The terms of this Agreement shall bind and inure to the parties, and their respective heirs, executors, legal representatives, successors, and assigns.

5. Each individual signing on behalf of a party to this Agreement states that he or she is the duly authorized representative of the signing party and that his or her signature on this Agreement has been duly authorized by, and creates the binding and enforceable obligation of, the party on whose behalf the representative is signing.

6. Each of the signatories to this Agreement agrees to execute such other documents and to perform such other acts as may be reasonably necessary or desirable to further the expressed and intended purposes of this Agreement.

7. This Agreement may not be modified or amended unless by written instrument signed by the Parties.

8. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

SIGNATURES APPEAR ON NEXT PAGE

GRANTOR:

LOWE'S HOME CENTERS, LLC

By: _____
Richard J. Goodman, Manager

GRANTEE:

VILLAGE OF SPRINGVILLE, NEW YORK

By: _____
Timothy Michaels, Mayor

STATE OF NORTH CAROLINA)

ss:

COUNTY OF IREDELL)

On the ____ day of _____, 2023, before me, the undersigned, personally appeared, **Richard J. Goodman, as Manager of Lowe's Home Centers, LLC**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person(s) upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK)

ss:

COUNTY OF ERIE)

On the ____ day of _____, 2023, before me, the undersigned, personally appeared, **Timothy Michaels, as Mayor of the Village of Springville**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person(s) upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

REVISIONS DATE DESCRIPTION 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 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11062023
A.5

Amount	From Account	To Account
General Fund		
\$ 353.00	1990-0400	3989-0400
\$ 197.00	5110-0100	5110-0120
\$ 5.00	5110-0410	5110-0410-011
\$ 1,879.00	5142-0100	5410-0100
\$ 1,000.00	5110-0100	8170-0100
\$ 700.00	5110-0100	8510-0100
\$ 863.00	5110-0100	8560-0110
\$ 3,350.00	8560-0410	8560-0440
\$ 8,347.00	Total GF	

Sewer Fund		
\$ 3,000.00	8130-0441	8130-0411
\$ 3,000.00	Total Sewer	

10-31-2023 10:50 AM
 PACKET: 00253-BOARD MEETING 11062023
 BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
001 5-1990-0400-001	11/06/2023	BOARD MEETING 11062	353.00-	45,799.00	32,101.00-	13,345.00	13,345.00
CONTINGENT ACCOUNT							
001 5-3989-0400-001	11/06/2023	BOARD MEETING 11062	353.00	1,000.00	3,601.00	4,954.00	0.91
CONTRACTUAL SERVICES							
001 5-5110-0100-001	11/06/2023	BOARD MEETING 11062	197.00-	185,922.00	6,000.00	189,162.00	95,959.26
STREET MAINT. PERSONAL SERVICE							
001 5-5110-0120-001	11/06/2023	BOARD MEETING 11062	197.00	3,000.00	0.00	3,197.00	0.55
OVERTIME							
001 5-5110-0410-001	11/06/2023	BOARD MEETING 11062	5.00-	85,000.00	0.00	84,995.00	82,306.16
STREETS SUPPLIES & MATERIALS							
001 5-5110-0410-011	11/06/2023	BOARD MEETING 11062	5.00	0.00	100.00	105.00	0.76
ST.RECON. CAP.RES. EXPENSES							
001 5-5142-0100-001	11/06/2023	BOARD MEETING 11062	1,879.00-	50,000.00	0.00	48,121.00	47,778.46
SNOW REMOVAL PERSONAL SERV.							
001 5-5410-0100-001	11/06/2023	BOARD MEETING 11062	1,879.00	5,000.00	4,800.00	11,679.00	0.21
SIDEWALKS PERSONAL SERVICE							
001 5-5110-0100-001	11/06/2023	BOARD MEETING 11062	1,000.00-	185,922.00	6,000.00	189,162.00	95,959.26
STREET MAINT. PERSONAL SERVICE							
001 5-8170-0100-001	11/06/2023	BOARD MEETING 11062	1,000.00	2,400.00	2,500.00	5,900.00	19.16
STREET CLEANING PERSONAL SERV							
001 5-5110-0100-001	11/06/2023	BOARD MEETING 11062	700.00-	185,922.00	6,000.00	189,162.00	95,959.26
STREET MAINT. PERSONAL SERVICE							
001 5-8510-0100-001	11/06/2023	BOARD MEETING 11062	700.00	1,750.00	6,700.00	9,150.00	12.56
COMM.BEAUTIFICATION - PERS.SER							
001 5-5110-0100-001	11/06/2023	BOARD MEETING 11062	863.00-	185,922.00	6,000.00	189,162.00	95,959.26
STREET MAINT. PERSONAL SERVICE							
001 5-8560-0110-001	11/06/2023	BOARD MEETING 11062	863.00	0.00	0.00	863.00	0.27
SHADE TREES TEMPORARY							
001 5-8560-0410-001	11/06/2023	BOARD MEETING 11062	3,350.00-	6,000.00	0.00	2,650.00	1,972.58
SHADE TREES SUPPLIES & MAT.							
001 5-8560-0440-001	11/06/2023	BOARD MEETING 11062	3,350.00	4,000.00	0.00	7,350.00	0.00
SHADE TREES CONTRACTED SERVICE							
003 5-8130-0441-001	11/06/2023	BOARD MEETING 11062	3,000.00-	79,000.00	0.00	76,000.00	44,564.29
CONTRACTED SERVICES-COMMODITY							

PACKET: 00253-BOARD MEETING 11062023
 BUDGET CODE: CB-Current Budget

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE	
Budget Adj. # 000303								
003	5-8130-0411-001	11/06/2023 BOARD MEETING 11062	3,000.00	46,000.00	0.00	49,000.00	4,760.23	
		SUPPLIES & MATERIAL- COMMODITY						
TOTAL IN PACKET--							0.00	

*** NO WARNINGS ***

*** NO ERRORS ***

*** END OF REPORT ***

DRAFT

ATTACHMENT NO. A2

VILLAGE OF SPRINGVILLE
2023 MINUTES

AGENDA DATE 11/20/23

November 6, 2023

8:37 PM

An Executive Session 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 Terry Skelton
Village Administrator	Liz Melock
Village Attorney	Paul Weiss
Deputy Clerk	Holly Murtiff
Village Justice	Edward Young

1. Village Court Personnel Matters All attending discussed a Village Court personnel matter.
2. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Padasak and Braman voting yes, none opposed to adjourn to Regular Meeting at 8:48 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

Administrator's report

Nov 20, 2023

ATTACHMENT NO. A3

AGENDA DATE 11/20/23

Resolutions:

1. Approve the merging of Sewer Reserve Capital Accounts from two into one account in the general ledger. Account 003-0878-021 will merge into account 003-0878-011.
2. Amend the Village Fee Schedule. See attached.

Discussions:

1. No Overnight parking on village streets and in village parking lots except for areas marked for overnight parking starts Nov 10 – April 1st from 2-7 am.
2. National Fitness Campaign – Adult Fitness Court – Discussion on project for Eaton Park.

CURRENT

Village of Springville

5 W. Main St., PO Box 17, Springville, NY 14141, 592-4936, Fax 592-7088

Fee Schedule

Adopted by Resolution of the Board of Trustees on May 18, 2020 effective June 1, 2020

The numbering system represents Village of Springville code sections.

1-9 Purchase of Village Code Book
The purchase of copies may be made from the Village at cost as established by General Code Publishers Inc. Arrangements for purchase and supplementation may also be made directly with General Code Publishers Inc.

55-3 Alarm System connection.....No Longer Available

55-4 False Alarm Fee

Number of False Alarms	Residential Fee	Nonresidential Fee
1	\$0	\$0
2	\$25	\$100
3	\$35	\$200
4	\$50	\$300

60-22 Chicken License.....\$100.00 annually June 1 to May 31

73-10 Operating Permit Fee.....\$100.00
Duration & Renewal.....\$50.00 annually

73-11 Fire Safety Property Maintenance Fee

Fire Inspection..... \$50.00 per Certificate of Occupancy
 Additional Multiple Commercial Tenants
 with less than 500 sqft.....\$NC
 Multiple Dwelling Common Areas..... \$50.00
 Requested inspection 73-11 B..... \$500.00 per tenant/living unit
 Above inspections include initial plus one follow-up
 Each additional follow-up..... \$25.00
 Reprinting Occupant Load Sign.....\$25.00

73-16 Other Chapter 73 Fees:

Residential 1 & 2 Family House.....\$450.00
 Residential 3 or more Family Dwelling.....\$650.00 per building
 Residential Addition/Enlargement.....\$150.00
 House Rehab.....\$125.00
 Other Residential Alteration..... \$50.00
 Nonresidential New Build.....\$.14/sqft; \$1,000.00 minimum
 Nonresidential Addition/Enlargement..... \$.14/sqft, \$500.00 minimum
 Other Nonresidential Alteration.....\$100.00
 Accessory Building 200-10A1c Shed.....\$50.00
 Accessory Building 200-10A1d.....\$100.00
 Deck.....\$50.00
 Fence 200-17.....\$50.00

Swimming Pools Residential.....	\$50.00
Pool with Deck.....	\$75.00
Pool with Fence.....	\$75.00
Pool with Deck and Fence.....	\$100.00
Alteration - Woodstoves, Fireplaces, Chimneys.....	\$50.00
Demolition under 500 sqft.....	\$50.00
Demolition over 500 sqft.....	\$100.00
Roofing.....	\$50.00
Multiple inspections for the same item.....	\$50.00 each inspection

An automatic renewal fee will be charged after one year of the permit date.

A charge of ½ the original fee or a maximum of \$50.00.

The fee will be charged every six months thereafter until a Certificate of Occupancy is obtained.

75-1 Moving of a Building

To and or from a Village Lot.....	\$500.00
Habitable Structure on same lot.....	\$200.00
Non-Habitable Structure on same lot.....	\$50.00

110-7 Licenses 110-16

1. Canvassers and Solicitors..... \$150.00 June 1 to May 31
2. Carnivals..... \$100.00 per event
3. Circuses..... \$100.00 per event
4. Garage Sales (6 days per year maximum)..... \$10.00 per day
 First 3 days in 5 consecutive days in a year...No Charge
5. Parades..... \$100.00 per event
6. Peddlers and Hawkers..... \$150.00 June 1 to May 31
7. Portable Concessions, Food or Merchandise..... \$100.00 June 1 to May 31
8. Public Meetings, Outdoor..... \$100.00 per event
9. Shows & Exhibitions..... \$100.00 per event
10. Roadside Stands..... \$100.00 June 1 to May 31
 Exception stands under 24sqft located in Residential
 Districts selling items grown on the property..... No Charge
11. Flea Markets..... \$100.00 per event
12. Waste Material Collector..... \$50.00 June 1 to May 31
 Other than by Village Contract 110-16
13. Transient retail business..... \$100.00 per day

115-7 Sound producing device.....\$100.00

130-8 Record Fees

Fee for inspection.....	No Charge
Fee for search of document.....	No Charge
Fee for certification of existing document.....	No Charge
Copies sizes 9 x 14 or less	\$.25 per page
Copies larger than 9 x 14.....	Actual Cost
Preparation of Tax Certificate.....	\$20.00
Preparation of Property History.....	\$50.00

145-5	NR Bags.....	<i>Not Available</i>
	NR Stickers (Garbage Stickers).....	\$2.50 each
155-17	Subdivision Fees	
	Preliminary Application Fee.....	\$200.00
	Final Approval Fee.....	\$75.00 per lot plus engineering costs
	Resubmit Fee.....	½ Application Fee
	Final Inspection Fee.....	\$100.00
	Re-inspection Fee.....	½ Final Inspection Fee
200-146	Driveway / Road Access	\$15.00
193-81	Water Permit –Utility Structure.....	\$25.00
193-70	Sewer Permit – Utility Structure.....	\$25.00
193-71	Electric Permit.....	\$25.00
193-84	Water	
	Connection Expense Fee(TAP) includes inspection..	\$775.00
	Nonpayment Termination Fee.....	\$50.00
	After hours inspection or shut off.....	4 hr call out
193-87	Same fees as 193-84	
193-69	Sewer Rent Fee, Monthly Charges	
	See Utility Rate Schedule	
	Water Rate Fee, Monthly Charges	
	See Utility Rate Schedule	
	Unmetered Water Sales.....	\$20.00 / 1,000 gallons
	Electric Rate Fee, Monthly Charges	
	See Utility Rate Schedule	
	Electric Security Deposit (EMD)	
	Residential with gas heat.....	\$40.00
	Residential with electric heat.....	\$69.50
	Commercial	\$100.00
	Electric Service Shut Off Charge.....	\$50.00
193-42	Sewer Tap Fee	
	1 & 2 Family Residence.....	\$775.00
	Inspection Sewer Tap Fee.....	included
	After Hours inspection.....	4 Hr call out
193-96	Storm Water Tap Fee	
	1 & 2 Family Residence.....	\$25.00

Inspection Storm Water Tap Fee.....included

200-37	Sign Permit Application Fee.....	\$50.00
200-38	Sign Permit Renewal Fee	\$25.00
200-50	Special Exception Application Fee.....	\$150.00 plus engineering cost
200-84	Fee for Zoning Board of Appeals Review.....	\$150.00 plus engineering cost
200-91	Site Plan Review Fee.....	\$200.00 plus engineering cost
200-98	Petition for Zoning Amendment Fee.....	\$50.00
200-106	Planned Development Inspection Fee.....	\$150.00 plus engineering cost
200-113	Satellite Antennas – Dishes	
	Larger than 1 meter in Residential Districts.....	\$50.00
	Larger than 2 meters in Commercial Districts.....	\$100.00
200-123	Communication Tower.....	\$1,500.00
	Co-location.....	\$500.00
	Police Reports.....	\$10.00
	Credit Card Payments Fee.....	2.65%, Minimum \$3.00
	Rental Fee –65 Franklin Conference room,.....	\$75.00 per date
	Need rental agreement. No deposit. (\$75 fee for Heritage Park & Fiddler’s Green Gazebo removed June 4, 2018)	
	Easement Fee to remove or change village easement.....	\$250.00
	(approved May 21, 2018)	
	Temporary Construction Water Service.. Form needed.....	\$300.00 plus \$20 per 1,000 gal water.
	(approved Sept 11, 2023)	

Starting without obtaining a permit, license or Certificate of Occupancy will be subject to the applicable fee being doubled. All contractors must supply the Village of Springville with the proper insurance certificate prior to a permit being issued.

sqft = square feet or foot

Engineering Costs = A NYS Licensed Professional contracted by the Village of Springville for technical review.

Village of Springville

5 W. Main St., PO Box 17, Springville, NY 14141, 592-4936, Fax 592-7088

Fee Schedule

Adopted by Resolution of the Board of Trustees on November 20, 2023 effective December 1, 2023
The numbering system represents Village of Springville code sections.

~~1-9 Purchase of Village Code Book~~

~~The purchase of copies may be made from the Village at cost as established by General Code Publishers Inc. Arrangements for purchase and supplementation may also be made directly with General Code Publishers Inc.~~

~~55-3 Alarm System connection.....No Longer Available~~

55-4 False Alarm Fee

Number of False Alarms	Residential Fee	Nonresidential Fee
1	\$0	\$0
2	\$25	\$100
3	\$35	\$200
4	\$50	\$300

60-22 Chicken License.....\$100.00 annually June 1 to May 31

73-10 Operating Permit Fee.....\$100.00
Duration & Renewal.....\$50.00 annually

73-11 Fire Safety Property Maintenance Fee

Fire Inspection..... \$50.00 per Certificate of Occupancy
 Additional Multiple Commercial Tenants
 with less than 500 sqft.....\$NC
 Multiple Dwelling Common Areas..... \$50.00
 Requested inspection 73-11 B..... \$500.00 per tenant/living unit
 Above inspections include initial plus one follow-up
 Each additional follow-up..... \$25.00
 Reprinting Occupant Load Sign.....\$25.00

73-16 Other Chapter 73 Fees:

Residential 1 & 2 Family House..... **\$550.00 plus \$.40 sq ft over 2000 sq ft**
 Residential 3 or more Family Dwelling..... **\$950.00** per building
 Residential Addition/Enlargement.....\$150.00
 House Rehab.....\$125.00
 Other Residential Alteration..... \$50.00
 Nonresidential New Build.....\$.14/sqft; \$1,000.00 minimum
 Nonresidential Addition/Enlargement..... \$.14/sqft, \$500.00 minimum
 Other Nonresidential Alteration.....\$100.00
 Accessory Building 200-10A1c Shed.....\$50.00
 Accessory Building 200-10A1d.....\$100.00
 Deck..... \$50.00
 Fence 200-17.....\$50.00

Swimming Pools Residential.....	\$50.00
Pool with Deck.....	\$75.00
Pool with Fence.....	\$75.00
Pool with Deck and Fence.....	\$100.00
Alteration - Woodstoves, Fireplaces, Chimneys.....	\$50.00
Demolition under 500 sqft.....	\$100.00
Demolition over 500 sqft.....	\$150.00
Roofing.....	\$50.00
Multiple inspections for the same item.....	\$50.00 each inspection

An automatic renewal fee will be charged after one year of the permit date.

A charge of ½ the original fee or a maximum of \$50.00.

The fee will be charged every six months thereafter until a Certificate of Occupancy is obtained.

75-1 Moving of a Building

To and or from a Village Lot.....	\$500.00
Habitable Structure on same lot.....	\$200.00
Non-Habitable Structure on same lot.....	\$50.00

110-7 Licenses 110-16

1. Canvassers and Solicitors.....	\$150.00 June 1 to May 31
2. Carnivals.....	\$100.00 per event
3. Circuses.....	\$100.00 per event
4. Garage Sales (6 days per year maximum).....	\$10.00 per day
First 3 days in 5 consecutive days in a year...	No Charge
5. Parades.....	\$100.00 per event
6. Peddlers and Hawkers.....	\$150.00 June 1 to May 31
7. Portable Concessions, Food or Merchandise.....	\$100.00 June 1 to May 31
8. Public Meetings, Outdoor.....	\$100.00 per event
9. Shows & Exhibitions.....	\$100.00 per event
10. Roadside Stands.....	\$100.00 June 1 to May 31
Exception stands under 24sqft located in Residential Districts selling items grown on the property.....	No Charge
11. Flea Markets.....	\$100.00 per event
12. Waste Material Collector.....	\$50.00 June 1 to May 31
Other than by Village Contract 110-16	
13. Transient retail business.....	\$100.00 per day

115-7 Sound producing device.....\$100.00

130-8 Record Fees

Fee for inspection.....	No Charge
Fee for search of document.....	No Charge
Fee for certification of existing document.....	No Charge
Copies sizes 9 x 14 or less	\$.25 per page
Copies larger than 9 x 14.....	Actual Cost
Preparation of Tax Certificate.....	\$20.00
Preparation of Property History	\$50.00

145-5 NR Bags.....*Not Available*
 NR Stickers (Garbage Stickers).....\$2.50 each

155-17 Subdivision Fees

Preliminary Application Fee..... \$200.00
 Final Approval Fee..... \$75.00 per lot plus engineering costs
 Resubmit Fee..... ½ Application Fee
 Final Inspection Fee..... \$100.00
 Re-inspection Fee..... ½ Final Inspection Fee

200-146 Driveway / Road Access\$15.00

193-81 Water Permit –Utility Structure.....\$25.00

193-70 Sewer Permit – Utility Structure.....\$25.00

193-71 Electric Permit.....\$25.00

193-84 Water

Connection Expense Fee(TAP) includes inspection..\$775.00
 Nonpayment Termination Fee.....\$50.00
 After hours inspection or shut off..... 4 hr call out

193-87 Same fees as 193-84

193-69 Sewer Rent Fee, Monthly Charges
 See Utility Rate Schedule

Water Rate Fee, Monthly Charges
 See Utility Rate Schedule

Unmetered Water Sales.....\$20.00 / 1,000 gallons

Electric Rate Fee, Monthly Charges
 See Utility Rate Schedule

Electric Security Deposit (EMD)

~~Residential with gas heat.....\$40.00~~
 Residential\$69.50
 Commercial\$100.00

Electric Service Shut Off Charge.....\$50.00

193-42 Sewer Tap Fee

1 & 2 Family Residence.....\$775.00
 Inspection Sewer Tap Fee.....included
 After Hours inspection.....4 Hr call out

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

ATTACHMENT NO. A4

AGENDA DATE 11/20/23

Franklin St. CDBG watermain replacement is finished with install. Everyone on the new main. Restoration minus the grass, which will be done in the spring, is done.

Xmas lights are going up this week.

Village of Springville Public Art Process, Guidelines, and Criteria

2nd Revision

I Springville Public Art Advisory Committee (SPAAC)

- **Purpose:** The purpose of the SPAAC is to review works of art to ensure they fit the legal requirements for public consumption. The committee can also provide feedback and recommendations on how the art fits in with the community.
- **Committee Members:** The committee will consist of up to 6 members:
 - The Mayor or his/her designee,
 - The Village Administrator or his/her designee,
 - SCA Representative or Public Art Specialist,
 - Planning Board representative or Historic Preservation Commission representative,
 - Building or Property Owner
 - Commissioned artist when applicable

II Design Process for Public Art on Municipal Property

Should the Village decide to commission a work of art or if a piece is donated to the village, the following provides the process for approval.

- **Time Line:** The time line for approval is flexible. Some projects involving grants and municipal funding will take months to work through the approval process. Temporary art project donated to the Village could take less time. The Approval Process for all public art projects requires a series of communications among the SPAAC, appropriate Boards, , sponsors if applicable, granting organizations if applicable, and the artist. The goal of the process is to develop community consensus about the project. When planning public art projects, sponsors and SPACC should be aware of Board of Trustees' (and Historic Preservation Commission's if applicable) meeting schedules.
- The SPAAC will evaluate the artwork using the process in Section V.
- If applicable, the Village will have to apply for a CoA from the Historic Preservation Board.
- The final design will go before the Village Board for approval

III. Design Process for Public Art in Local Historic Preservation District On Private Property

- Any public artwork to be installed in the Historic Preservation District will need to be evaluated by the SPAAC and Historic Preservation Board.
- SPAAC process with property owners included and recommendations sent to HPC rather than the Board of Trustees
- HPC review, comment, and approval or HPC appeal process

IV. Review Process for SPAAC Evaluations

- Pictures, sketches or suitable representations need to be provided to the SPAAC at least 3 business days ahead of any SPAAC meeting.
- The SPAAC will evaluate the work according to the guidelines in Section V
- The SPAAC will also discuss the relevance of the artwork and indicate any preferences it has.
- The SPAAC will pass on its' evaluation to the appropriate board for their approval:
 - HPC if the work is in the Historic Preservation District
 - Board of Trustees if within Village limits and on public property

V. Review Guidelines for SPAAC Evaluations

With the understanding that art is a form of speech and that only minimal limits can be imposed on it, the SPAAC shall use the following as guide in their evaluation.

- The artwork must meet the criteria for public decency. There should be no derogatory or inflammatory language toward any protected class.
- The artwork must not advertise a business, product or service. Any work doing so must follow the regulations for signage.
- The artwork should describe the materials that are being used, the surface it is being applied to and any protective coatings that are being employed.
- The artwork shall include a record of ownership, whether that be the artist, the building owner or a responsible third-party. This will be the party responsible for maintaining the artwork.
- The artwork should have a maintenance plan that provides a description of what is necessary to preserve the artwork and a schedule of when to preserve it. It should address:
 - graffiti removal,
 - removal of surface dirt,
 - reapplication of coatings,
 - touching up damaged areas,
 - and ensuring vegetation does not harm the artwork of the building

- The artwork should also include a decommissioning plan. This plan will spell out the expected lifespan of the artwork, how to tell if the artwork is no longer salvageable and how to remove the art and restore the surface back to its' original condition.
- The artwork must not create a distracting environment for traffic or the general public. The artwork should not use fluorescent or reflective paints in a manner that could create a hazard. The artwork should not obstruct views of traffic (such as at the corner of an intersection). The artwork should not obstruct the safe egress from a building.
- The artwork should have an appropriate scale for the surface it is being installed on. If it takes up the entire side of a building it should look as though it was intended to do so. If it doesn't take up the entire surface it should look like it stops at a natural break point.

The SPAAC can use the Springville Public Art Evaluation Form found in Appendix A

VI. Other Review Criteria

The following are items that are important to consider while discussing the project. While they can't be grounds for approval/denial because they are considered content based, they can convey the Villages preferences and help to create a cohesive portfolio and community aesthetic.

- Relevance of the piece to the building or Village, its values, culture, and people;
- Relationship of the work to the site and locality in the Village, especially how it serves to activate or enhance public space in an aesthetic manner;
- Be easily visible and accessible to the public;
- Establish landmarks and neighborhood gateways.

VII. Maintenance, Conservation and Decommissioning Guidelines

As noted in Section V, each piece of public art must have a maintenance plan. This plan will help both the owner of the artwork as well as the code enforcement official to evaluate the artwork as it ages. It will also help to ensure that the piece will remain in good condition for many years to come.

It is important to note: *Routine maintenance of an artwork becomes the responsibility of the stated owner.*

The maintenance program should include a statement regarding the materials from which the piece is fabricated. The commissioning agency will be responsible for communicating this information to its custodial staff and providing any necessary additional tools or equipment to ensure proper daily maintenance of public artworks

The decommissioning plan should include an estimated timeline on how long the artwork will last, a means for evaluating the piece once the artwork can no longer be repaired and instructions on how to restore the surface to its' original condition. It should also include instructions for disposal of materials and if there are any hazardous materials requiring special handling.

VIII. Temporary Public Art Considerations

Temporary Public Art is art that is commissioned and installed for a specific duration of time. As opposed to art work which is designed to last for decades, temporary public art may last a few years, a few months or even a few weeks. To generate interest in public art, or where no firm public art tradition exists but there is a desire to create a public art tradition, temporary art can be useful.

Installation of temporary art may be appropriate to prevent the need for de-accessioning. For example, when a public art program or a client agency/funder cannot afford to maintain a work in perpetuity, works of temporary art, lasting up to ten years, for example, could be commissioned.

Temporary art also works well as a series placed throughout a downtown or park, or within a specific geographic area.

Temporary art programs also provide valuable opportunities for training emerging artists or those unfamiliar with the public-art commissioning process to undertake public art projects that have

smaller, more manageable budgets, often less rigorous contracting procedures, more flexible deadlines, and offer artists more options in terms of appropriate materials.

Approval Process and Design Standards apply to Temporary Public Art.

IX. Future Planning:

With the recognition that public art is contributes to the vibrancy and placemaking of the Village it is important to consider how to support and encourage public art in the future. Public Art should be incorporated into the Village Comprehensive Plan to memorialize its' importance and to help seek funding for projects into the future.

Appendix A

Springville Public Art Evaluation Form

Date: _____

Attendees:

Evaluation Criteria: (Y/N)

___ - Does the art meet the criteria for public decency?

___ - Does the art advertise a business or product?

___ - Do the following records exist, at least in concept

 ___ - Record of Ownership

 ___ - Maintenance Plan

 ___ - Decommissioning Plan

___ - Does the artwork create a distracting environment (using fluorescent or reflective paint, obstructing views of traffic, prohibit safe egress from a building, etc.)

___ - Does the artwork have an appropriate scale for the surface (i.e. if it doesn't cover the entire surface is there a natural break point)

Village Preferences:

- Relevance of the art to the building or Village, its' values, culture and/or people
- Relationship of the art to the site and how it activates or enhances public spaces in an aesthetic manner
- Be easily visible and accessible to the public
- Establish landmarks and neighborhood gateways

VILLAGE OF SPRINGVILLE
November 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 September 11, 2023. **CA.1**

PROJECT: 0000010426 - UTILITY CHANGES-SEWER TYPE: PLUMBING
PROPERTY: 32 W EDGEWOOD DR
ISSUED DATE: 11/06/2023
ISSUED TO: CELLINO PLUMBING AND HVAC
631 BULLIS ROAD
ELMA, NY 14059

PROJECT: 0000010427 - UTILITY CHANGES-SEWER TYPE: PLUMBING
PROPERTY: 584 E MAIN ST
ISSUED DATE: 11/13/2023
ISSUED TO: REIMER PLUMBING
255 FIRE TOWER DRIVE
TONAWANDA, NY 14150

PROJECT: 0000010428 - FENCES TYPE: FENCES
PROPERTY: 155 N CENTRAL AVE
ISSUED DATE: 11/13/2023
ISSUED TO: MARKSMEN FENCE INC
10016 TREVETT ROAD
BOSTON, NY 14025

ATTACHMENT NO. CA 1
AGENDA DATE 11/20/23

**Village of Springville
Historic Preservation Commission**

September 11, 2023 7:00 pm

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:

Members:
Bill Skura Chairman
Helen Brogan
Don Orton
John Baronich-Vice Chairman
Eric Tuberdyke- absent

Also present:
Joseph Fafallo – 33-37 E. Main St
Liesle Neureuther – 33-37 E. Main St
Teri L. Stearns – Salem Lutheran

Clerk: Jennifer Blumenstein-absent

After the Pledge of Allegiance, Chairman Skura called the meeting to order at 6:55 p.m.

Chairman Bill Skura asked for a motion to approve the minutes from the Aug 14, 2023 meeting.

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

A Certificate of Appropriateness came before the Board from Salem Lutheran Church from 91 W. Main Street. The project includes installing an Amish shed 10' x14' to be used for the preschool. Shed will be placed near the dumpster.

John Baronich made the motion to approve the application as presented. Seconded by Helen Brogan. All in favor, none opposed.

A Certificate of Appropriateness came before the Board from Liesle Neureuther from 33-37 E. Main Street. She is looking to redo the facade along with new windows and fix the foundation. Bammel Architects did the design as part of Erie County Store Front grant. Architect drawing was in the application showing the proposed changes.

Helen Brogan made the motion to approve the application as presented, seconded by Don Orton. All in favor, none opposed.

The board made one change to the proposed Mural Guidelines draft. The change was to g. removing the word "permitted" and replacing with "painted directly". They are waiting on the Village Board for changes to the Public Arts Policy before they can finalize their Mural Guidelines.

Don Orton made the motion to adjourn at 7:40 pm, seconded by John Baronich. All in favor, none opposed.

Respectfully Submitted,

Liz Melock for
Jennifer Blumenstein