

AMENDED

VILLAGE OF SPRINGVILLE 2023 MINUTES

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 all others see attached sign in sheet	Marc Gentner, Fire Chief 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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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. Budget Adjustments
Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton Buncy, Braman and Padasak voting yes, none opposed to approve the budget adjustments outlined in **11062023 A.5**
6. 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

7. 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 #137 – 154 of 2023/2024 total of \$635,815.91 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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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.

8. 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.

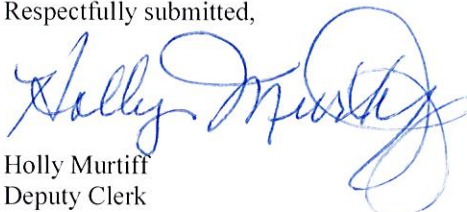
9. Court Matters Upon return from Executive Session, motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to approve an unpaid medical leave of absence effective upon her first day of medical need 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.

10. 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

VILLAGE BOARD MEETING

Village of Springville

Date:

11/6/23

PLEASE SIGN INPRINT NAMEADDRESS

Miller Linda + Daniel

475 Vaughn St.

Steve & Jill Pidsadnick

39 Childs St. Springville

Charles Feldman

117 Cattaraugus St Springville

JOHN PAZZUTI

6 S. EDGEWOOD DR SPRINGVILLE

Rod & Lori DAVID

153 Childs St, Springville

Rebecca Rothfuss

375. Central #4

Lanny Thompson

375. central #4

David Davis

Rauch Dr.

Jenny Skinner

63 Prospect Ave

Lindsey + Thomas Becker

40 S Edgewood Dr

Elly + Jim Dupuy

46 Rauch Dr.

Frank Levan

84 S. Edgewood

Jessi Donist

89 East Ave.

Sarah Adams

122 East Ave

Don & Deb Bernatt

13660 East Ave

Dan + Neva Oswald

13648 East Ave

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

PRINT NAME

ADDRESS

John Galvin	105 W. Edgewood Dr.
Ashley Lowry	Springville Journal
Bryan + Sarah Babson	93 Childs St.
Jonathan Maybray	69 Ellis Ave
Lynn Rogers	67 Rauch Dr.
Kylee Amy Greigore	81 Childs St.
Tim + Michelle Bain	10 S-Edgewood Dr.
Mary Carl Jeaning	6471 Genesee Rd.
Jeanne Solomon	28 Rauch Dr.
Ann Sten	28 Rauch Dr.
Cher Wheeler	14069 Mill St
Sarah Wheeler	78 Cattaraugus St
Irene Lockwood	149 Cattaraugus St.
Tara Lowry	Boston
Robert Schart	168 Elk St
Patricia Smith	136 W Edgewood Dr

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

PRINT NAME

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Sue Burdick	125 East Ave
Bev Kirkpatrick	58 RAUCH DR
Jany Kirkpatrick	58 RAUCH DR
Maureen McNamara-Whitney	98 Elk St. Sp
Mary Cudney	110 Elk St.
Judith 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 Delasordau	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 Beclasic	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 $\frac{3}{4}$ 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.

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

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	

ACCT: 00253-BOARD MEETING 11062023
 UDCODE: CB-Current Budget

UND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
01 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							
01 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							
01 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							
01 5-5110-0120-001	11/06/2023	BOARD MEETING 11062	197.00	3,000.00	0.00	3,197.00	0.55
OVERTIME							
01 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							
01 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							
01 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.							
01 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							
01 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							
01 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							
01 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							
01 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							
01 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							
01 5-8560-0110-001	11/06/2023	BOARD MEETING 11062	863.00	0.00	0.00	863.00	0.27
SHADE TREES TEMPORARY							
01 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.							
01 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							
03 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							

UND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000303							

03	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 ***