

VILLAGE OF SPRINGVILLE
2024 MINUTES

June 17, 2024

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	Russel Belscher Lindsay Buncy Mary Padasak Jessica Schuster
Superintendent of Public Works	Duane Boberg
Police Officer in Charge	Nick Budney
Village Attorney	Paul Weiss
Deputy Clerk	Holly Murtiff
Code Enforcement Officer	John Baker
Fire Chief	Marc Gentner
Also Attending	See attached 06172024 A.1

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

1. Minutes Minutes of the Regular Meeting of June 3, 2024 were approved as written by Trustee Schuster, seconded by Trustee Belscher; carried, Mayor Michaels, Trustees Schuster, Belscher and Buncy voting yes, Trustee Padasak abstaining, none opposed.

PUBLIC HEARING

2. LOSAP Change At this time Mayor Michaels opened the duly advertised public hearing to discuss the proposed change in the SVFD Length of Service Award Program (LOSAP). This change will amend the existing plan to increase the maximum number of years earned from 30 to 50 years in the Length of Service Award Program, and the increase to the cost of the program will be approximately \$10,400 per year. This matter must go to a public referendum and be placed on the November ballot. There being no further discussion motion was made by Trustee Buncy, seconded by Trustee Padasak; carried, Mayor Michaels, Trustee Buncy, Padasak, Belscher and Schuster voting yes, none opposed to close the public hearing.

Motion was made by Trustee Schuster, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Schuster, Padasak, Belscher and Buncy voting yes, none opposed to placing the proposed change to the LOSAP program as outlined below, be placed on the November 2024 ballot for public referendum.

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LOCAL PROPOSITION
VILLAGE OF SPRINGVILLE

ABSTRACT

TITLE: Amendment to the Volunteer Firefighters Service Award Program

STATEMENT OF PURPOSE:

The Village Board of the Village of Springville adopted a Resolution on June 17, 2024, which, if approved at a Public Referendum to be held on Tuesday, November 5, 2024, would amend the existing Defined Benefit Program established by the Length of Service Award Program as approved by the voters of the Village of Springville, County of Erie, State of New York, to increase the maximum number of years earned from 30 to 50 years in the Length of Service Award Program, to be effective January 1, 2025.

EFFECT: A “yes” vote on the Proposition would approve an increase to the maximum number of years earned from 30 to 50 years in the Length of Service Award Program, to be effective January 1, 2025. A “no” vote on the Proposition would leave the maximum number of years earned at 30 years in the Length of Service Award Program.

PUBLIC COMMENT

Seth Wochensky, 30 S. Central Ave., Springville Center for the Arts, wanted to thank all who were involved in the recent Art Crawl event. He stated that it was very well attended and an overall success and welcomes any and all input with ideas for next year’s event.

Dennis Dains, 126 East Ave., discussed his concerns with attachment #6 on this evening’s agenda, “Rules of Order”. He questioned why the document refers to Erie County Legislature and also wanted to express his concerns with several other sections of this document.

Devin Kowalske, 21 Park St., who expressed her support for the new “Rules of Order” document on this evening’s agenda.

DEPARTMENT REPORTS

~~ADMINISTRATORS REPORT~~

SUPERINTENDENTS REPORT

2. Surplus Motion was made by Trustee Buncy, seconded by Trustee Schuster; carried, Mayor Michaels, Trustees Buncy, Schuster, Belscher and Padasak voting yes, none opposed to declare surplus the millings from street work earlier this month. Millings are available for pickup if anyone wants them until July 12th and village residents have priority.
3. NYSDOT PERM 1 Agreement Motion was made by Trustee Padasak, seconded by Trustee Schuster; carried, Mayor Michaels, Trustees Padasak, Schuster Belscher and Buncy voting yes, none opposed to approving Mayor Michaels to sign the NYSDOT PERM 1 agreement. This is a 20 year agreement, Certificate of Liability for work permits on State roads. This replaces the Acord 25 Agreement that has to be redone every year.

Superintendent Boberg updated everyone on the paving schedule (6/25 & 6/26).

POLICE DEPARTMENT

Officer in Charge Budney reported on the following;

- Spring Use of Force/Range Qualification was completed at the Hamburg Town Police range on June 6, 2024.

4. Mobile LPR Bid Motion was made by Trustee Padasak, seconded by Trustee Schuster; carried, Mayor Michaels, Trustees Padasak, Schuster, Belscher and Buncy voting yes, none opposed to award the mobile LPR bid to Secure Watch 24, LLC for \$16,487.23, the lowest quote received. Monies are available in the police contractual line 3120-0400 account and will be reimbursed by New York State Law Enforcement Technology Grant.

Secure Watch 24	\$16,487.23
ELSAG	\$17,635.00
Motorola	\$19,725.00

FIRE DEPARTMENT

There was no report this evening.

CODE ENFORCEMENT OFFICER

CEO Baker updated the Mayor and Board on the following;

- 426 E. Main St. trial date is set for 7/3/24
- New home builds are being planned for East Hill Run and Forest Avenue

CONTROL CENTER

Trustee Schuster, Control Center Liaison, informed everyone that following recent interviews there are two candidates whose information will be sent to Erie County Personnel for approval for hire as dispatchers in the Control Center after this discussion the following actions were taken.

Motion was made by Mayor Michaels, seconded by Trustee Belscher; carried, Mayor Michaels, Trustees Belscher, Buncy, Padasak and Schuster voting yes, none opposed to move forward with the application of Katelynn Kittleson for the Per Diem Dispatcher position.

Motion was made by Mayor Michaels, seconded by Trustee Padasak; carried Mayor Michaels, Trustees Padasak, Belscher, Buncy and Schuster voting yes, none opposed to move forward with the application of Rich Neamon for the overnight, weekend Dispatcher position.

NEW BUSINESS

5. SPAAC Discussion After explanation by Trustee Schuster and discussion, motion was made by Trustee Schuster, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Schuster, Buncy, Belscher and Padasak voting yes, none opposed to removing Section 3 from the Springville Public Arts Advisory Committee (SPAAC) policy.
6. Erie Co. Emergency Medical Services After discussion, motion was made by Trustee Belscher, seconded by Trustee Schuster; carried, Mayor Michaels, Trustees Belscher, Schuster, Buncy and Padasak voting yes, none opposed to authorizing Mayor Michaels to sign the below contract between Erie County Emergency Medical Services and the Springville Fire Department.

**This is a Memorandum of Understanding
Between
Erie County Emergency Medical Services (ECEMS)
And
Springville Fire Department (SFD)**

I. Purpose and Scope

The purpose of this Memorandum of Understanding (MOU) is to clearly identify the roles and responsibilities of each party as they relate to their responsibilities regarding the use of the Springville Fire Department (SFD) property. ECEMS having an operating certificate to provide ambulance service for all of Erie County desires to position ECEMS resources at the SFD property located at 65 Franklin Street, Springville. SFD desires to house ECEMS in their facility, 24 hours a day 7 days a week to promote EMS response.

II. MOU Term

The term of this MOU Agreement is the period within which the project responsibilities of this agreement shall be performed. The term commences **xx** date and terminates **xx** date.

III. ECEMS Responsibilities

ECEMS for the duration of this agreement will:

1. Maintain a valid New York State Operating Certificate for Ambulance Service
2. Comply with all rules and regulations of the SFD in the operation of any mechanical/ electrical system available to ECEMS.
3. Comply with all rules and regulations of the SFD in the occupancy of the Building.
4. Notify the SFD Chief or Commissioners of any problems, changes in operations or additional needs

SFD for the duration of this agreement will:

1. Maintain a space for ECEMS use to store/ occupy for the Ambulances, Fly cars, related equipment needed to provide ambulance service as well as personnel.
2. Supply 24 hour access to the SFD building to the ECEMS staff
3. Provide adequate crew personnel space for use by ECEMS
4. Make available to ECEMS and all crews any policy/ procedures of the SFD that affect ECEMS operation
- 5.

IV. Charges

1. There is no monetary exchange for the use of SFD property

V. Handling Disagreements:

In response to any disagreement, the SFD will contact the ECEMS ambulance supervision as to the concerns and formulate a resolution. In the event a resolution is not possible, the SFD will contact the Erie County Deputy Commissioner of EMS for resolution.

If there is a disagreement from the ECEMS side ECEMS will contact the Chief for a resolution. If a resolution is not possible, the ECEMS will contact a Commissioner.

VI. Effective Date and Signature

This MOU shall be effective upon the signature of FD or ECEMS authorized officials. It shall be in force from June 17, 2024. CHS and ECEMS indicate agreement with this MOU by their signatures.

7. Rules Of Order At this time all attending discussed the draft "Rules of Order" document presented by Trustees Schuster and Buncy. The Mayor and Trustees all discussed and had input on points they would like to see changed. Trustee Schuster agreed that revision can be made and she and Trustee Buncy will continue to work on the document.

OLD BUSINESS

8. Deputy Clerk Motion was made by Trustee Schuster, seconded by Trustee Padasak; carried, Mayor Michaels,
Salary Adjustment Trustees Schuster, Padasak, Belscher and Buncy voting yes, none opposed to approve the
following pay rate changes for Deputy Clerk, Holly Murtiff.

Resolution to approve the following pay rate adjustment for Holly Murtiff, Deputy Clerk, as follows:

4/1/24 - 5/31/24 retroactive

Previous rate per hour was	\$28.86
Requested 25% increase	<u>7.22</u>
Requested new hourly rate	\$36.08

And;

6/1/24 - onwards

Current as of 6/1/24 rate	\$30.25
Requested 25% increase	<u>7.56</u>
Requested new hourly rate	\$37.81

9. E&B After discussion, motion was made by Trustee Schuster, seconded by Trustee Padasak; carried,
Squared Mayor Michaels, Trustees Schuster, Padasak, Belscher and Buncy voting yes, none opposed to
approving the below resolution.

Authorizing E&B squared to complete a site plan and other planning documents necessary for
Level 3 EV charger submission

WHEREAS, the Village of Springville has previously and is currently engaged with E&B Squared on other projects and is satisfied with the work they have done;

WHEREAS, the Board of Trustees has a desire to promote sustainable infrastructure and economic development in alignment with New York State Climate Smart Communities initiative; and

WHEREAS, E&B Squared has previously work with and submitted successful grant application to New York State for Salina, Medina, South Dayton and Sherman which resulted in almost 100% funding for all expenses related to the installation of a Level 3/DC fast charger;

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Springville is authorized to enter into contract for a site plan and any other documents needed to prepare for grant submission when/once New York State opens application for their Municipal ZEV program or similar;

RESOLVED, that the cost of such services is not to exceed \$2,000 without additional legislative pre-approval and the E&B Squared is authorized to submit such plan on behalf of the village without further authorization and be it further;

RESOLVED, the head of Village DPW is directed to engage with the contractors to determine possible location and any other needs associated with the development of such a plan with an aimed date of completion as July 1, 2024;

RESOLVED, that account 001.5.7110.0241.001, Vehicle Charging Stations, shall be the General Ledger account used with funds to be transferred to this account, not to exceed \$2,000 from other General Fund accounts where possible;

RESOLVED, that a certified copy of this resolution be sent to Matthew Zarbo, PE Director of Engineering via email at mzarbo@eandsquared.com.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts # 1 – 18 of 2024/2025 total of \$521,986.63 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Buncy, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Buncy, Padasak, Belscher and Schuster voting yes, none opposed.

PERMITS AND APPLICATIONS

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

Minutes of the Special Meeting of the Historic Preservation Commission on May 20, 2024. **CA.1**

Minutes of the Planning Board meeting on February 27, 2024. **CA.2**

Minutes of the Planning Board meeting on April 23, 2024. **CA.3**

PROJECT: 0000010596 - UTILITY CHANGES
PROPERTY: 10 S CASCADE DR
ISSUED DATE: 6/03/2024
ISSUED TO: BURGER KING
10 S CASCADE DR
PO BOX 20
SPRINGVILLE, NY 14141
TYPE: UTILITY CHANGES

PROJECT: 0000010597 - ROOFING
PROPERTY: 73 CHESTNUT ST
ISSUED DATE: 5/30/2024
ISSUED TO: EXPERT CONTRACTING
1711 UNION RD, SUITE 54
WEST SENECA, NY 14224
TYPE: ROOF

PROJECT: 0000010598 - RESIDENTIAL ALTERATION
PROPERTY: 44 EAST AVE
ISSUED DATE: 6/03/2024
ISSUED TO: CIRBUS, DENISE
44 EAST AVE.
SPRINGVILLE, NY 14141
TYPE: RESIDENTIAL ALTERATION

PROJECT: 0000010599 - UTILITY CHANGES-ELECTRIC
PROPERTY: 58 RAUCH DR
ISSUED DATE: 6/03/2024
ISSUED TO: KIRKPATRICK, GARY & BEVERLY
58 RAUCH DR
SPRINGVILLE, NY 14141
TYPE: ELECTRIC

PROJECT: 0000010600 - EVENT
PROPERTY: 70 NASON BLVD
ISSUED DATE: 6/03/2024
ISSUED TO: SGI ALL CLASS REUNION
9960 ROUTE 39
SPRINGVILLE, NY 14141
TYPE: EVENT

PROJECT: 0000010601 - RESIDENTIAL ALTERATION
PROPERTY: 93 MYRTLE AVE
ISSUED DATE: 6/03/2024
ISSUED TO: PATIO ENCLOSURES
2620 N AMERICA DR
W SENECA, NY 14224

TYPE: RESIDENTIAL
ALTERATION

PROJECT: 0000010602 - NONRES STRUCTURAL
PROPERTY: 69 E MAIN ST
ISSUED DATE: 6/05/2024
ISSUED TO: LOWRY, JOSEPH
29 MECHANIC STREET
SPRINGVILLE, NY 14141

TYPE: NONRES
STRUCTURAL

PROJECT: 0000010603 - EVENT
PROPERTY: 70 NASON BLVD
ISSUED DATE: 6/05/2024
ISSUED TO: SPRINGVILLE VOLUNTER FIRE CO
P.O. BOX 12
SPRINGVILLE, NY 14141

TYPE: EVENT

PROJECT: 0000010604 - HISTORIC PRESSERVATION
PROPERTY: 62 E MAIN ST
ISSUED DATE: 6/06/2024
ISSUED TO: LOVE INC. OF SPRINGVILLE
62 E MAIN ST
SPRINGVILLE, NY 14141

TYPE: HISTORIC
PRESERV REVIEW

PROJECT: 0000010605 - HISTORIC PRESSERVATION
PROPERTY: 55 E MAIN ST
ISSUED DATE: 6/06/2024
ISSUED TO: SOUTHTOWNS RENOVATIONS
PO BOX 187
COLDEN, NY 14033

TYPE: HISTORIC
PRESERV REVIEW

PROJECT: 0000010606 - VIOLATION-GRASS, VEHICLE
PROPERTY: 129 ZOAR RD
ISSUED DATE: 6/06/2024
ISSUED TO: HITS FOUNDATION INC
129 ZOAR RD
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000010607 - ROOFING
PROPERTY: 282 N VAUGHN ST
ISSUED DATE: 6/07/2024
ISSUED TO: ORNCE, JOHN & JEANETTE
282 N VAUGHN ST
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000010608 - ACCESSORY BUILDING
PROPERTY: 83 ELK ST
ISSUED DATE: 6/07/2024
ISSUED TO: KOPP, GEARY
83 ELK ST
SPRINGVILLE, NY 14141

TYPE: ACCESSORY BUILDINGS

PROJECT: 0000010609 - EVENT-5K RUN AND FUN WALK
PROPERTY: 393 NORTH ST
ISSUED DATE: 6/07/2024
ISSUED TO: SPRINGVILLE KIWANIS
PO BOX 104
SPRINGVILLE, NY 14141

TYPE: EVENT

PROJECT: 0000010610 - GARAGE SALE
PROPERTY: 129 EAST HILL RUN
ISSUED DATE: 6/07/2024
ISSUED TO: REYNOLDS, KAREN
129 EAST HILL RUN
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000010611 - NONRES NONSTRUCTURAL
PROPERTY: 26 W MAIN ST
ISSUED DATE: 6/07/2024
ISSUED TO: GIA G HOLDINGS
5880 ROUTE 39
SPRINGVILLE, NY 14141

TYPE: NONRES NONSTRUCTURAL

PROJECT: 0000010612 - DECKS
PROPERTY: 60 COLONIAL DR
ISSUED DATE: 6/10/2024
ISSUED TO: HUNT, JAMES
6303 VERMONT HILL ROAD
SOUTH WALES, NY 14139

TYPE: DECKS

PROJECT: 0000010613 - LICENSES
PROPERTY: 5 W MAIN ST
ISSUED DATE: 6/10/2024
ISSUED TO: CHIAVETTA'S
10654 BRANT-ANGOLA RD
BRANT, NY 14027

TYPE: LICENSES

PROJECT: 0000010614 - ROOFING
PROPERTY: 366 W MAIN ST
ISSUED DATE: 6/11/2024
ISSUED TO: BLACK ROCK ROOFING, INC
2064 NIAGARA ST
BUFFALO, NY 14207-2503

TYPE: ROOF

PROJECT: 0000010615 - GARAGE SALE
PROPERTY: 29 COCHRAN AVE 2F
ISSUED DATE: 6/11/2024
ISSUED TO: CARLSON, RON
29 COCHRAN AVE 2F
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

VILLAGE ATTORNEY REPORT

Village Attorney Paul Weiss had no report this evening.

TRUSTEE NOTES & PROJECT REPORTS

Trustee Padasak commented on the following;

- Art Crawl
- Houghton training

Trustee Schuster updated everyone on the following;

- IEEP
- HPC meeting update
- Insurance Broker
- Consolidated Funding application email
- Broadband committee appointments still needed

Trustee Belscher commented on the following;

- Planning Board meeting minutes regarding the Dygert farm project will be before the Village Board for approval on July 15th.

Trustee Buncy had no report this evening.

Mayor Michaels updated the Board on the following;

- Village Administrator search

At this time Mayor Michaels discussed ErieNet. While he voted in favor of the ErieNet pole attachment agreement on May 6, 2024 he regrets that decision and after further consideration he is reversing his support for this project. Mayor Michaels went on to explain this decision and why he is reversing his support.

10. Executive Session Motion was made by Trustee Schuster, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Schuster, Padasak, Belscher and Buncy voting yes, none opposed to adjourn to Executive Session at 8:01 pm to discuss employment matters.
11. Adjourn Motion was made by Trustee Schuster, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Schuster, Padasak, Buncy and Belscher voting yes, none opposed to adjourn the Regular Session at 8:46 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk