

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

June 17, 2024

7:00 P.M.

BY MOTION OF:

NOTES

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. MINUTES FROM MEETINGS
Regular Session Minutes of June 3, 2024 **A.1**
4. PUBLIC HEARING
Change in LOSAP point program
to public referendum/vote
5. PUCLIC COMMENT
6. DEPARTMENT REPORTS
 - ~~A. ADMINISTRATOR~~
 - B. SUPERINTENDENT'S REPORT **A.2**
 - C. POLICE **A.3**
 - D. FIRE DEPARTMENT
 - E. CODE ENFORCEMENT OFFICER
 - F. CONTROL CENTER
7. NEW BUSINESS
 - SPAAC discussion **A.4**
 - Approve Mayor Michaels to sign
The Erie County EMS contract **A.5**
 - Rules of Order discussion **A.6**
8. OLD BUSINESS
 - Salary Adjustment for Deputy Clerk **A.7**
 - E&B Squared Level 3 EV Charger resolution **A.8**
9. BILLS
10. PERMITS AND APPLICATIONS
11. VILLAGE ATTORNEY REPORT
12. TRUSTEE NOTES & PROJECT REPORT
13. TREE COMMITTEE REPORT
14. EXECUTIVE SESSION
Employment Matters
15. ADJOURN

DRAFT

VILLAGE OF SPRINGVILLE
2024 MINUTES

June 3, 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 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	Max Borsuk, Springville Journal
Cheryl Dash	Robert Rung
Jessica Steele	Tara Lowry
Rob Scharf	Dennis Dains
Michael Wolniewicz	Todd Catalano
Nils Wikman	Bev Kirkpatrick
Gary Kirkpatrick	Kelly Baker
Bill Smith	
Absent	Mary Padasak, Trustee

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

I. Minutes

Amended Minutes of the Regular Meeting of May 6, 2024 were approved as written by Trustee Belscher, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Belscher, Buncy and Schuster voting yes, none opposed.

Minutes of the Regular Meeting of May 20, 2024 were approved as written by Trustee Schuster, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Schuster, Buncy and Belscher voting yes, none opposed.

Minutes of the Executive Session of May 20, 2024 were approved as written by Trustee Schuster, seconded by Trustee Belscher; carried, Mayor Michaels, Trustees Schuster, Belscher and Buncy voting yes, none opposed.

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PUBLIC COMMENT

Nils Wikman, 67 East Ave., addressed the Mayor and Board on the following matters;

- The termination of Administrator Clerk/Treasurer Elizabeth Melock.
- The Springville Center for the Arts involvement in Village of Springville politics.
- The Springville Center for the Arts involvement with Springville Griffith Institute youth programs.

Jessica Steele, 25 E. Main St., Ste. 102, addressed the Mayor and Board on the following matters;

- Concord Veteran Care Project, 503B charity
- New location

Mike Wolniewicz, 200 N. Buffalo St., addressed the Mayor and Board on the following matter;

- Application to become a member of the Historic Preservation Commission

Tara Lowrey, Boston Cross Rd., addressed the Mayor and Board on the following matter;

- The need for the Board members to stop the arguing between members and put aside political differences for the benefit of the Village of Springville.

DEPARTMENT REPORTS

ADMINISTRATORS REPORT

SUPERINTENDENTS REPORT

2. Surplus

After explanation by Superintendent Boberg, motion was made by Trustee Belscher, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Belscher, Buncy and Schuster voting yes, none opposed to declare the below items as surplus.

4 – 30 kvs 277/480 volt padmount transformers #697, 698, 699 and 700

#697 serial number 14190

#698 serial number 14191

#699 serial number 14192

#700 serial number 14193

All four of these we used for the football field lights. The lights have been replaced and these are no longer needed.

Superintendent Boberg also discussed the following;

- Street milling on 6/5/24 6/6/24
- Street paving most likely to take place on 6/25/24

POLICE DEPARTMENT

Officer in Charge Budney reported on the following;

- SPD May 2024 activity
- ECSO May 2024 activity
- Tech Grant update (\$18,302.39) for the mobile LPR and hand held lidar unit
- Resolution received from Legislator Lorigo recognizing SPD for Law Enforcement Appreciation Month

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FIRE DEPARTMENT

Fire Chief Gentner read his SVFD report;

- Calls for May 2024
- Training
- Prom Promise
- EMT training

CODE ENFORCEMENT OFFICER

CEO Baker updated the Mayor and Board on the following;

- 426 E. Main St. upcoming court date on 6/5/24
- Wetzel Development

CONTROL CENTER

The Control Center report was read by Trustee Schuster;

- Personnel
- Equipment
- May 2024 volume report

NEW BUSINESS

3. Municipal Solution Renewal Motion was made by Trustee Schuster, seconded by Trustee Belscher; carried, Mayor Michaels, Trustees Schuster, Belscher and Buncy voting yes, none opposed to authorizing Mayor Michaels, to sign the renewal contract with Municipal Solutions for financial services.
4. Resolution Protocol Motion was made by Trustee Schuster, seconded by Trustee Belscher; carried, Mayor Michaels, Trustees Schuster, Belscher and Buncy voting yes, none opposed to table the matter of the Resolution protocol resolution.
5. LOSAP Points Change Public Hearing After brief discussion, motion was made by Trustee Schuster, seconded by Trustee Belscher; carried, Mayor Michaels, Trustees Schuster, Belscher and Buncy voting yes, none opposed to setting the public hearing for the change in LOSAP points program for June 17, 2024 at 7:01 pm. An advertisement will be placed in the appropriate publication.

OLD BUSINESS

6. HPC Appointments Motion was made by Trustee Belscher, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Belscher, Buncy and Schuster voting yes, none opposed to discuss the appointment of Kelly Baker as a new member to Historic Preservation Commission for a 4 year term ending in 2028. After discussion the matter was called to a roll call.

In the matter of appointing Kelly Baker as a member of the Historic Preservation Commission

AYE

Trustee Lindsay Buncy
Trustee Russel Belscher
Mayor Timothy Michaels

NO

Trustee Jessica Schuster

Kelly Baker is appointed to the position of member of the Historic Preservation Commission for a term of 4 years ending in 2028.

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At this time those attending discussed the possibility of naming an alternate member to the Historic Preservation Commission. Mike Wolniewicz has applied to be a member of the HPC therefore his name was discussed. At this time the topic was tabled for further consideration.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts # 356 – 368 of 2023/2024 total of \$113,877.64 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Belscher, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Belscher, Buncy and Schuster voting yes, none opposed.

PERMITS AND APPLICATIONS

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

Minutes of the Historic Preservation Commission meeting on April 15, 2024. **CA.1**

PROJECT: 0000010586 - SHEDS, UP TO 144 SQ.FT. PROPERTY: 143 WOODWARD AVE ISSUED DATE: 5/16/2024 ISSUED TO: MCCLOUD, ROBERT A 143 WOODWARD AVE. SPRINGVILLE, NY 14141	TYPE: SHEDS
PROJECT: 0000010587 - VIOLATION-GRASS PROPERTY: 107 CHURCH ST ISSUED DATE: 5/17/2024 ISSUED TO: FUENTES, INES 107 CHURCH ST SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000010588 - GARAGE SALE PROPERTY: 57 TRANSIT LINE RD ISSUED DATE: 5/17/2024 ISSUED TO: ASSEMBLY OF GOD P.O. BOX 187 SPRINGVILLE, NY 14141	TYPE: GARAGE SALES
PROJECT: 0000010589 - VIOLATION-GRASS PROPERTY: 4 COLONIAL DR ISSUED DATE: 5/17/2024 ISSUED TO: MERWIN, JASON 4 COLONIAL DR SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000010590 - EVENT-COWS OF BUFFALO VENDORS PROPERTY: 334 FRANKLIN ST ISSUED DATE: 5/20/2024 ISSUED TO: EJ PROPERTIES INC 334 FRANKLIN ST SPRINGVILLE, NY 14141	TYPE: EVENT

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PROJECT: 0000010591 - ROOFING
PROPERTY: 80 S CENTRAL AVE
ISSUED DATE: 5/21/2024
ISSUED TO: REGER, CYNTHIA
80 S. CENTRAL AVE.
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000010592 - VIOLATION-GRASS
PROPERTY: 225 N BUFFALO ST
ISSUED DATE: 5/21/2024
ISSUED TO: MCDONNELL, LINDA
225 N BUFFALO ST
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000010593 - FENCES
PROPERTY: 51 SPRING ST
ISSUED DATE: 5/22/2024
ISSUED TO: BUFFUM, SAMUEL
51 SPRING ST
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000010594 - UTILITY CHANGES-ELECTRIC
PROPERTY: 65 WOODWARD AVE
ISSUED DATE: 5/23/2024
ISSUED TO: GERWITZ & MCNEIL ELECTRIC INC
5756 THORNWOOD DR
WEST VALLEY, 14171

TYPE: ELECTRIC

PROJECT: 0000010595 - UTILITY CHANGES-ELECTRIC
PROPERTY: 44 CAROLINA ST SHOP
ISSUED DATE: 5/23/2024
ISSUED TO: RORH LLC
PO BOX 161
SPRINGVILLE, NY 14141

TYPE: ELECTRIC

VILLAGE ATTORNEY REPORT

Village Attorney Paul Weiss had no report this evening.

TRUSTEE NOTES & PROJECT REPORTS

Trustee Schuster updated everyone on the following;

- Meeting updates
 - Possible revision of the chicken \$100 permit
 - Consideration of bee keeping
- Broadband committee appointments still needed
- Resident input into grant opportunities for the needed Control Center equipment
- Erie Co. Homeland Security email received regarding Control Center equipment
- Art Crawl update

Trustee Belscher, with input from Village Attorney Paul Weiss, updated everyone on the recent 3 to 2 no vote for the rezoning of the Dygert property project at the Planning Board meeting on 5/28/24.

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Trustee Buncy thanked everyone involved in making the sidewalk link between 65 Franklin and the Hulbert Library parking lots happen and commented that Hulbert Library is very happy with it. Trustee Buncy also commented on the Art Crawl.

Mayor Michaels had no comment this evening.

7. Adjourn

Motion was made by Trustee Buncy, seconded by Trustee Belscher; carried, Mayor Michaels, Trustees Buncy, Belscher and Schuster voting yes, none opposed to adjourn the Regular Session at 7:56 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

VILLAGE OF SPRINGVILLE
DEPARTMENT OF PUBLIC WORKS
Duane Boberg
Superintendent of Public Works
Superintendent Report for June 17, 2024

ATTACHMENT NO. A 2

AGENDA DATE 6/17/24

Resolution: Declare surplus millings from street earlier this month. Millings available for pickup if anyone wants them until July 12th. Village residents have priority.

Resolution: Have Mayor sign 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.



UNDERTAKING

For the benefit of

The New York State Department of Transportation

In connection with work affecting state highways

(For use by New York municipalities and federal agencies)

WHEREAS, the undersigned _____ (Municipality, County, Town, City or Village, or any agency of the federal government, hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration

2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.

5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, _____ (Municipality-County, Town, City, Village or federal agency) agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee (attach Resolution of Approval).

Authorized Agent

Date

Print Name/Title

Address

() _____
Phone number

Address

e-mail

LT. NICHOLAS K. BUDNEY
OFFICER IN CHARGE



ATTACHMENT NO. A3
AGENDA DATE 6/17/24

SPRINGVILLE POLICE DEPARTMENT

June 17, 2024

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

Resolution to award the mobile LPR bid to Secure Watch 24, LLC for \$16487.23, the lowest quote received. Monies are available in the police contractual line 3120-0400 line 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

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

nbudney@villageofspringvilleny.com

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

ATTACHMENT NO. A4

A RESOLUTION SUBMITTED BY
TRUSTEE SCHUSTER

AGENDA DATE 6/17/24

Re: Amending the Springville Public Arts Advisory Committee (SPAAC) Policy

Resolved, that Section III of SPAAC guidance titled "Design Process for Public Art in Local Historic Preservation District On Private Property" be deleted in its entirety, while the remainder of the policy remains in effect.

Resolved, this change will take effect immediately upon a majority vote in favor of the proposed amendment.

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 **(DATES)**. CHS and ECEMS indicate agreement with this MOU by their signatures.

Signatures and dates

SFD signatory

Date

ECEMS signatory

Date

ROLL CALL, MINUTES, ABSENCES: At any every meeting of the Board, upon the members being called to order, the attendance shall be taken by the Clerk. The Minutes of the preceding meeting, when available, shall then be presented for approval to the end that any corrections, alterations, or additions may be made. It shall be improper to object to approval of the minutes without offering a correction in the same meeting pursuant to Roberts' Rules. In all cases when an order, resolution or a motion shall be entered in the Minutes of the Legislature, the name of the member presenting or moving the same and seconding shall be entered.

ORDER OF BUSINESS: The Order of Business of each session shall be:

1. Call to order
2. Pledge of Allegiance or National Anthem
3. Consideration of the Minutes of the preceding meeting(s);
4. Public Comment, limited to 3 minutes per speaker and 15 minutes total, unless a motion is made and seconded for an extension. These may be granted in 30 second increments per speaker and 5 speaker additions; **public comment should not address any Board member or village employee specifically, shall not contain derogatory or defamatory comments, shall be directed at the Board in its entirety, and shall not be redundant from meeting to meeting. If possible, it should reflect items on the agenda at a given meeting. Any speaker who violates such rules may be deemed out of order. The Board of Trustees shall not feel compelled to respond to any member of the public except under the point of personal privilege, if desired. A motion to recess for a specified length of time may be made and voted on if a speaker is out of order where the vote of a majority of the Board is the controlling factor. The Mayor will enforce such rules as adopted by this code to maintain decorum and order at the business meeting. Members of the public are not permitted open comment or discussion except during the designated section of the meeting and may be asked to refrain or leave a meeting if they cannot refrain. The Code Enforcement Officer will serve as Sargeant at Arms as need arises.**

5. The consideration of Communications, Local Laws and Resolutions submitted by Board members prior to the preceding clock-in deadline;

6. Reports from Department Heads;

7. Discussion of New Business which may or may not result in action taken by the Board if a proper motion is made and seconded;

8. Suspension of the Rules, where a quorum of the full Board is required to vote to take up an item prior to discussion;

9. Discussion of Old Business;

10. Bills;

11. Permits and Applications;

12. Village Attorney Report;

13. Trustee Reports;

14. Reports of Standing Committees;

15. Executive Session, if necessary; and

16. Adjournment. The Chair in his or her discretion may change the Order of Business at any session except as otherwise provided.

During regular meetings, the Mayor has the floor for all agenda assignments, yet may yield the floor at his or her discretion. As the Mayor assigns any item submitted to a committee or for discussion, including resolutions or any other open item requested for immediate consideration, or makes any other change to the assignment of agenda items, no debate or discussion shall be in order unless properly objected to and sustained.

Agenda assignments or changes can be appealed pursuant to Roberts' Rules.

TIME FOR PRESENTATION TO CLERK:

All petitions, resolutions, offers, or communication of whatever nature shall be submitted to the Clerk of the Village before 12:00 pm, three (3) full business days prior to a regular meeting date, for presentation at the next meeting. For the purpose of this rule, business day shall be defined in reference to Section 206 of the New York State County Law. In the event that three business days before a meeting is a recognized holiday or a recognized holiday occurs within three business days before a regular meeting date, the appropriate clock-in day will be the first business day of the week in which the regular meeting date is held. An agenda of all matters before the Board of Trustees shall be prepared by the Clerk, who shall determine the particular order of agenda items in keeping with rules as otherwise adopted.

ALL POINTS OF ORDER NOT COVERED BY THESE RULES: On all points of order not governed by the rules of this document, the most recent edition of Robert's Rules of Order shall prevail. In the event that a point of order shall arise which shall not be covered by either the Rules of Order or by the most recent edition of Robert's Rules of Order, the Rules of the Erie County Legislature shall be followed.

COMMITTEE REPORTS: No report shall be made by any committee on any subject referred to it except by a majority vote of the total membership of the committee unless the Board otherwise directs. All reports of committees shall be in writing and presented to the Board for consideration at the next succeeding regular session of the Board, unless other extenuating circumstances warrant. Where a Board member is seated as ex-officio and the committee holds

a public meeting with a quorum, a Board member may bring meeting minutes for approval by the Board. If a Board member does not attend or a committee is unable to make quorum after 60 days, draft minutes become finalized automatically.

APPOINTMENTS AND CONFIRMATIONS: All appointments by the Mayor outside of the annual re-organizational meeting shall follow the rules for clock-in or be subject to suspension. The Mayor or Clerk, as his designees, shall formally submit, in writing, the notice of candidacy for the position as part of the regular agenda process.

PURCHASE OVER \$10,000.00: The sum of \$10,000.00 is hereby fixed as the limit above which any purchases for contract for supplies may not be made without public advertisement. On purchases under \$10,000.00, as far as practicable, it is advised to obtain at least three quotes or estimates on every purchase, except where a vendor will extend GSA contract pricing to the Village.

AUDIO RECORDING: Audio recording of the public proceedings of the Village's sessions, committee meetings and public hearings shall be permitted under the following conditions that any unobtrusive audio recorder may be used provided that such recording is restricted to the open and public areas;

VIDEO RECORDING: Video recording of the public proceedings of the Erie County Legislature's sessions, committee meetings and public hearings shall be permitted under the following conditions that any unobtrusive video recorder may be used provided that such recording is restricted to the open and public areas and that no light, visible signal or audible sound shall be used on any video equipment to indicate that the equipment is operating.

AMENDMENT OF RULES: These rules shall not be rescinded, altered, or amended, nor shall any additional rule be added, except by a majority vote of the total members of the Board, and only after at least one day's notice in writing, filed with the Clerk. Any additions to the Rules of Order shall be underlined and deletions shall be bracketed [] or marked-up using the Track Changes function in Microsoft Word.

EFFECTIVE DATE: These rules shall be effective immediately upon adoption by a majority vote of the total membership of the Board.

ATTACHMENT NO. A7
AGENDA DATE 6/17/24

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

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.

VILLAGE OF SPRINGVILLE
June 17, 2024
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PERMITS AND APPLICATIONS

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

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 TYPE: 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

PROJECT: 0000010597 - ROOFING

TYPE: ROOF

PROPERTY: 73 CHESTNUT ST

ISSUED DATE: 5/30/2024

ISSUED TO: EXPERT CONTRACTING

1711 UNION RD, SUITE 54

WEST SENECA, NY 14224

PROJECT: 0000010598 - RESIDENTIAL ALTERATION

TYPE: RESIDENTIAL
ALTERATION

PROPERTY: 44 EAST AVE

ISSUED DATE: 6/03/2024

ISSUED TO: CIRBUS, DENISE

44 EAST AVE.

SPRINGVILLE, NY 14141

PROJECT: 0000010599 - UTILITY CHANGES-ELECTRIC

TYPE: ELECTRIC

PROPERTY: 58 RAUCH DR

ISSUED DATE: 6/03/2024

ISSUED TO: KIRKPATRICK, GARY & BEVERLY

58 RAUCH DR

SPRINGVILLE, NY 14141

PROJECT: 0000010600 - EVENT

TYPE: EVENT

PROPERTY: 70 NASON BLVD

ISSUED DATE: 6/03/2024

ISSUED TO: SGI ALL CLASS REUNION

9960 ROUTE 39

SPRINGVILLE, NY 14141

PROJECT: 0000010601 - RESIDENTIAL ALTERATION

TYPE: RESIDENTIAL
ALTERATION

PROPERTY: 93 MYRTLE AVE

ISSUED DATE: 6/03/2024

ISSUED TO: PATIO ENCLOSURES

2620 N AMERICA DR

W SENECA, NY 14224

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PERMITS AND APPLICATIONS

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

VILLAGE OF SPRINGVILLE
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PERMITS AND APPLICATIONS

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 of Springville
Historic Preservation Commission*

SPECIAL MEETING

May 20, 2024 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:

Absent

Members:

Bill Skura Chairman
Helen Brogan
Don Orton
John Baronich -absent

Also present:

Seth Wochensky-SCA
Jacquelyn Montemage

Clerk:

Jennifer Blumenstein

After the Pledge of Allegiance, Chairman Skura called the meeting to order at 7:00p.m.

The first Certificate of Appropriateness came from the Springville Pharmacy located at 13 E. Main Street.

Jacquelyn Montemage who was representing the Pharmacy tonight presented to the Board with the design and mark up for the new overhang and signage.

The overhang will be rebuilt as a metal stud overhang with a black metal roof. The roof will be a standing seam metal roof and will be the same width and length as the existing one.

The signage will have a blue matte finish background and the wording will be illuminated with white channel lettering.

After some discussion and review of this application, Chairman Bill Skura asked for a motion.

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

May 20, 2024
(pg.2)

Chairman Bill Skura informed the Board that he had spoken to Max Collins from the Springville Center for the Arts in regards to the mural "Bert Likes To Party". He

informed Max that there would not be a quorum tonight to vote on this again since he will abstain and the only members that would be present were Don Orton and Helen Brogan.

Bill Skura also informed the board that he spoke with the Village Attorney, Paul Weiss about the Springville Public Art Advisory Committee (SPAAC) and that the process is legal and that all mural applications should be presented to the members of SPAAC by either the artist or business going in front of the Historic Preservation Board.

Seth Wochensky stated that he disagrees with this and believes that the policy of having to go in front of the SPAAC members is illegal and unnecessary. He says that policy should not supersede the law.

Seth is looking for the approval of the murals for several properties from the Historic Preservation Board tonight.

Jen Blumenstein asked Seth if he planned on attending a SPAAC meeting to have the murals looked at by the committee and he said absolutely not and if anyone has a problem with that, they can take it up with the Village Attorney or Village Board. Jen then asked why the Historic Preservation Board should review the murals if Seth was not going to follow the procedure. Seth said he was not here to debate this with me and that he is only here to talk with the board members.

After much discussion and review of the Springville Public Art Advisory Committee policy, Chairman Skura asked for a motion.

Motion was made by Don Orton, seconded by Helen Brogan to TABLE any and all of the Certificate of Appropriateness related to murals until the board gets more direction from the Village Attorney and Village Board. All in favor, none opposed.

The next Certificate of Appropriateness came from Michael Wolniewicz from 26 Franklin Street. He is looking for approval for a mural and a fence. As previously noted, the mural could not be addressed and with the lack of information in regard to the fence and no applicant present, the board was unable to review the certificate.

May 20, 2024
(pg 3)

After some discussion, Chairman Skura asked for a motion.

Motion was made by Bill Skura, seconded by Don Orton to TABLE the Certificate of Appropriateness until we can get more clarification on size, length, and material for the fence. All in favor, none opposed.

Chairman Skura asked for a motion to approve the minutes from the April 15, 2024 meeting.

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

Bill Skura made the motion to adjourn at 8:05 pm, seconded by Helen Brogan. All in favor, none opposed.

Respectfully Submitted,

Jennifer Blumenstein

ATTACHMENT NO. CA2
AGENDA DATE 6/17/24

**VILLAGE OF SPRINGVILLE
PLANNING BOARD MINUTES**

February 27, 2024

7:00 P.M.

A meeting of the Planning Board 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:

Chairman:	Bob Muhlbauer
Members:	Ed Young Greg Keyser Devin Kowalske Tim Shriver
Building Inspector/ CEO:	John Baker
Clerk:	Kellie Grube
Also Present:	Terry Skelton, Trustee Karl Horschel Kim Horschel Bob Smith Ruth Smith

After the Pledge to Allegiance, Chairman Muhlbauer called the meeting to order at 7:01 pm.

Tonight on the agenda the Planning Board is addressing the following Public Hearings:

An Application for #10462, for Site Plan approval, located at 180 Zoar Road, Springville, NY, SBL 347.05-1-5.1, CIP District, Karl and Kim Horschel.

Chairman Muhlbauer asked Mr. and Mrs. Horschel to come up and explain their Site Plan request. The Horschel's stated that they would like to propose a 3rd warehouse addition. The addition will be 15,360 sq. feet on the expressway side of their property.

The building will be used for storage only and there will be no issues with increased traffic.

Next, Member Greg Keyser made the motion to declare the SEQR a Type II, Unlisted Action, and a Negative Declaration. Seconded by Member Ed Young, all in favor, none opposed.

Chairman Muhlbauer asked for a motion to approve this application as presented. Member Devin Kowalski made the motion, seconded by Member Tim Shriver, all in favor, none opposed.

Planning Board Meeting
February 27, 2024

The vote went as follows:

- *Bob Muhlbauer* *aye*
- *Greg Keyser* *aye*
- *Ed Young* *aye*
- *Devin Kowalske* *aye*
- *Tim Shriver* *aye*

Application #10462 approved without stipulations.

An Application for #10463, for Special Exception Use approval, located at 110 N Central Ave., Springville, NY, SBL 335.15-1-33, R6 District, Bob and Ruth Smith.

Chairman Muhlbauer asked Mr. and Mrs. Smith to come up and explain their Special Exception Use request. The Smith's stated that they would like to change from a 2 family to a non-transient boarding house.

The Smith's work with a State run program H2A, that allows them to employ temporary staff from Mexico. They are allowed to be employed for 9 months out of the year, but then must return home for 3 months before returning to work again.

They have been involved in this program for several years now and it really helps keep the nursery running. The workers look forward to coming back every year and the Smith's appreciate them as well.

In accordance with the H2A regulations, only 6 persons are permitted to reside in the 2 unit dwelling and inspections are done on a regular basis, which will be forwarded to the Code Enforcement Officer John Baker.

Bob Muhlbauer is concerned that this may be setting precedence with future applications. This property is not considered a Flop House or an Air B&B. This type of housing is for an extended period of time in exchange for work and income.

Greg Keyser is struggling with the terminology being used. He would consider this type of housing a rental unit and not a labor camp, boarding house or transient dwelling.

ATTACHMENT NO. CA 3
AGENDA DATE 6/17/24

**VILLAGE OF SPRINGVILLE
PLANNING BOARD MINUTES**

April 23, 2024

7:00 P.M.

A meeting of the Planning Board 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:

Chairman:	Bob Muhlbauer
Members:	Ed Young (absent)
	Greg Keyser
	Devin Kowalske
	Tim Shriver
	Rus Belscher
Building Inspector/ CEO:	John Baker
Clerk:	Julie Nunweiler

After the Pledge to Allegiance, Chairman Muhlbauer called the meeting to order at 7:01 pm.

With there being no public hearings on the agenda this evening the planning board will be discussing planning board procedures.

Chairman Muhlbauer asked for a motion for the minutes from the February 27 meeting to be approved a motion was made by member Greg Keyser and seconded by member Tim Shriver all were in favor, none opposed.

Chairman Muhlbauer asked the board to review questions pertaining to concept plan zoning changes for the Dygert farm. Questions were read and answers reviewed all agreed they were answered correctly.

Member Devin Kowalske asked about more advertising for the next meeting for the Dygert farm and COE John Baker explained a notice will be put in the Springville Journal as well as a sign posted on the property and in the surrounding neighborhood. Social media posts will be made usually on Village voice.

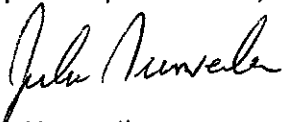
Next Chairman Muhlbauer passed out a lengthy list of concerns from the public to the board members. After reviewing them it was suggested to have these questions and answers available to hand out at the next meeting.

Member Greg Keyser said he thinks a traffic study will be needed and member Devin Kowalske questioned environmental concerns. Russ Belscher asked about lot sizes for this and other developments in the village.

Under new business COE John Baker said he would like to discuss permit fees with the trustees. He also mentioned that he has had a few calls on the old Pizza Hut building and that the Crosby Mart will be doing a remodel but will remain open for gas and minimal groceries.

With nothing else on the agenda this evening, Chairman Muhlbauer asked for a motion to adjourn the meeting at 8:35 pm. Member Devin Kowalske made the motion, seconded by member Tim Shriver. All in favor, none opposed.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Julie Nunweiler".

Julie Nunweiler