

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

July 15, 2024

7:00 P.M.

BY MOTION OF:

NOTES

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1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. MINUTES FROM MEETINGS
  - Regular Session Minutes of June 17, 2024 **A.1**
  - Executive Session Minutes of June 17, 2024 **A.2**
4. PUBLIC COMMENT
5. PERMITS AND APPLICATIONS
6. DEPARTMENT REPORTS
  - ~~A. ADMINISTRATOR~~
  - B. SUPERINTENDENT'S REPORT **A.3**
  - C. POLICE
  - D. FIRE DEPARTMENT **A.4**
  - E. CODE ENFORCEMENT OFFICER
  - F. CONTROL CENTER **A.5**
    - New Hire approvals
7. NEW BUSINESS
  - Permanent appointment of CEO John Baker **A.6**
  - Planning Board Minutes and Public Hearing scheduling
  - NYSERDA Clean Communities Grant discussion
8. OLD BUSINESS
  - Rules of Order discussion **A.7**
9. BILLS
10. VILLAGE ATTORNEY REPORT
11. TRUSTEE NOTES & PROJECT REPORT
12. TREE COMMITTEE REPORT
13. EXECUTIVE SESSION
  - Village Office Personnel Matters
14. ADJOURN

**DRAFT**

ATTACHMENT NO. A1

AGENDA DATE 7/15/24

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 12<sup>th</sup> 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).

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## **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.

<b>Secure Watch 24</b>	<b>\$16,487.23</b>
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.



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**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.

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**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](mailto:mzarbo@eandsquared.com).

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## **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

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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

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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

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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 15<sup>th</sup>.

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

**DRAFT**

VILLAGE OF SPRINGVILLE  
2024 MINUTES

ATTACHMENT NO. A 2  
AGENDA DATE 7/15/24

June 17, 2024

8:01 PM

An Executive Session of the Trustees of the Village of Springville was held at the Village Municipal Building, 65 Franklin Street, Springville, New York at the above date and time. Present were:

Mayor	Timothy Michaels
Trustees	Russel Belscher Lindsay Buncy Mary Padasak Jessica Schuster
Village Attorney	Paul Weiss
DPW Superintendent	Duane Boberg
Deputy Clerk	Holly Murtiff
Also Attending	Barbara Lipka

1. Employment Matters All attending discussed a Village Office employment matter with Ms. Lipka.  
Ms. Lipka was excused at 8:25 pm.  
Those remaining continued to discuss the Village Office employment matter.
2. Trustee Communications All attending discussed the current state of Village Board communications and the need for a change.
3. Adjourn 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 Regular Meeting at 8:46 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk

VILLAGE OF SPRINGVILLE  
**DEPARTMENT OF PUBLIC WORKS**  
*Duane Boberg*  
*Superintendent of Public Works*  
**Superintendent Report for July 15, 2024**

ATTACHMENT NO. A3  
AGENDA DATE 7/15/24

Resolution: Approval of Northeast Transformer Services to purchase used transformers for the price of \$4 KVA (pole mount) and \$2 KVA for pad mount. These were declared surplus already.



## June Chief's Report

- We had 67 calls in June
- Ariel is going in for the yearly PM
- The EMT's in training take the NYS exam on July 11<sup>th</sup>
- Continuing weekly Fire & EMS Training
- Working on State reporting system to go online

Respectfully Submitted,

X 

Marc Gentner

SFD Chief

Motion to approve the hiring of the following people for the Control Center;

Katelyn Kittleson

Per diem

\$17.50 during training and then after successfully completing training \$18.00

Effective immediately

Rick Neamon

Overnight, weekends

This is the out of county applicant (Machias). Erie County approved his hiring since he is a part time employee

\$17.50 during training and then after successfully completing training \$18.00

Effective immediately

**Resolution to appoint John Baker Permanent, full time in the position of Village of Springville Code Enforcement Officer**

**Be it resolved**, John Baker was hired on 7/31/23 as a provisional full time Code Enforcement Officer pending the Erie County Civil Service exam for this position.

**Be it further resolved**, John Baker completed his successful probationary period on 1/31/24.

**Furthermore**, John Baker took and successfully passed the Erie County Civil Service exam NEOGOV #86-508 Code Enforcement Officer (County wide) on 1/13/24 with a score of 90 placing him in the top 3 county wide. The exam results were released on 6/18/24.

**Therefore be it resolved**, that effective June 18, 2024, 2024 John Baker is appointed and approved to the permanent full time position of Code Enforcement Officer of the Village of Springville.

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 Board, 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 reserved for items that specifically appear on the meeting agenda, limited to 3 minutes per speaker, unless a motion is made and seconded for an extension. These may be granted in 30 second increments per speaker; **public comment should not address any Board member or village employee specifically, shall not contain derogatory or defamatory comments, and shall not be redundant from meeting to meeting. Comment during this period should reflect items on the agenda for 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 a 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 during public comment to maintain decorum and order at the business meeting. Members of the public are not permitted open comment or discussion except during designated sections of the meeting and may be asked to refrain or leave a meeting if they cannot refrain. The Code Enforcement Officer or Village Police Chief will serve as Sergeant 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 (otherwise item will remain on the agenda for the following meeting where it will be discussed);

9. Discussion of Old Business;

10. Bills (unless included in consent agenda);

11. Permits and Applications (unless included in consent agenda);

12. Village Attorney Report;

13. Trustee Reports;

14. Reports of Standing Committees;

15. Public Comment on any item germane to the Board where the same rules apply as section 4

16. Executive Session, if necessary; and

17. 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 as Monday through Friday from 9 am to 5 pm. 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 \$5,000.00:** The sum of \$5,000.00 is hereby fixed as the limit above which any purchases for contract for supplies may not be made without public advertisement. On purchases under \$5,000.00, 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 Village'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 and then as part of the annual re-organization.

DRAFT



VILLAGE OF SPRINGVILLE  
July 15, 2024  
Page 1  
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 Historic Preservation Commission on June 10, 2024. **CA.1**

Minutes of the Planning Board meeting on May 28, 2024. **CA.2**

PROJECT: 0000010616 - DECKS  
PROPERTY: 122 NORTH ST  
ISSUED DATE: 6/12/2024  
ISSUED TO: PELC, CHRISTINA  
122 NORTH ST  
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000010617 - ROOFING  
PROPERTY: 190 WAVERLY ST  
ISSUED DATE: 6/13/2024  
ISSUED TO: WNY EXTERIORS LLC  
838 BEACH ROAD  
ANGOLA, NY 14006

TYPE: ROOF

PROJECT: 0000010618 - RESIDENTIAL HOME/STRUCTURAL  
PROPERTY: EAST HILL RUN LOT 3  
ISSUED DATE: 6/13/2024  
ISSUED TO: B & B HOMES INC  
14220 ROUTE 219  
SPRINGVILLE, NY 14141

TYPE: RESIDENTIAL HOME/STRUCT

PROJECT: 0000010619 - UTILITY CHANGES-ELECTRIC  
PROPERTY: EAST HILL RUN LOT 3  
ISSUED DATE: 6/13/2024  
ISSUED TO: B & B HOMES  
14220 RT 219  
SPRINGVILLE, NY 14141

TYPE: ELECTRIC

PROJECT: 0000010620 - UTILITY CHANGES-WATER TAP  
PROPERTY: EAST HILL RUN LOT 3  
ISSUED DATE: 6/13/2024  
ISSUED TO: B & B HOMES  
14220 RT 219  
SPRINGVILLE, NY 14141

TYPE: PLUMBING

PROJECT: 0000010621 - UTILITY CHANGES-SEWER TAP  
PROPERTY: EAST HILL RUN LOT 3  
ISSUED DATE: 6/13/2024  
ISSUED TO: B & B HOMES  
14220 RT 219  
SPRINGVILLE, NY 14141

TYPE: PLUMBING

VILLAGE OF SPRINGVILLE  
July 15, 2024  
Page 2  
PERMITS AND APPLICATIONS

PROJECT: 0000010622 - DRIVEWAY TYPE: DRIVEWAY  
PROPERTY: EAST HILL RUN LOT 3  
ISSUED DATE: 6/13/2024 EXPIRATION  
ISSUED TO: B & B HOMES  
14220 RT 219  
SPRINGVILLE, NY 14141

PROJECT: 0000010623 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC  
PROPERTY: 14145 S CASCADE DR  
ISSUED DATE: 6/18/2024 EXPIRATION  
ISSUED TO: BUFFALO FLEX BUSINESS PARK  
PO BOX 161  
N BOSTON, NY 14110

PROJECT: 0000010624 - FENCES TYPE: FENCES  
PROPERTY: 36 PINWOOD DR  
ISSUED DATE: 6/20/2024  
ISSUED TO: GRIMM, DALE  
36 PINWOOD  
SPRINGVILLE, NY 14141

PROJECT: 0000010625 - FENCES TYPE: FENCES  
PROPERTY: 33 GREENWOOD PL  
ISSUED DATE: 6/20/2024  
ISSUED TO: KREZMIEN, JAMES  
33 GREENWOOD PL.  
SPRINGVILLE, NY 14141

PROJECT: 0000010626 - GARAGE SALE TYPE: GARAGE SALES  
PROPERTY: 103 CHESTNUT ST  
ISSUED DATE: 6/24/2024  
ISSUED TO: CONNORS, BERNARD R  
103 CHESTNUT ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000010627 - LICENSES TYPE: LICENSES  
PROPERTY: 8951 CATTARAUGUS ST  
ISSUED DATE: 6/24/2024  
ISSUED TO: MARLOWS ICE CREAM COMPANY  
8951 CATTARAUGUS ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010628 - RESIDENTIAL ALTERATION TYPE: RESIDENTIAL ALTERATION  
PROPERTY: 342 E MAIN ST  
ISSUED DATE: 6/24/2024  
ISSUED TO: CHAMBERLAND, HEIDI  
342 E MAIN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010629 - SHEDS, UP TO 144 SQ.FT. TYPE: SHEDS  
PROPERTY: 240 S CASCADE DR  
ISSUED DATE: 6/25/2024  
ISSUED TO: MYERS, PAT  
240 S CASCADE DR  
SPRINGVILLE, NY 14141

PROJECT: 0000010630 - FIRE INSPECTION TYPE: FIRE INSPECTION ASSEMBLY  
PROPERTY: 44 CAROLINA ST SHOP  
ISSUED DATE: 6/25/2024  
ISSUED TO: GALAXY ALL STAR CHEERLEADING  
44 CAROLINA ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010631 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 206 ELK ST  
ISSUED DATE: 6/25/2024  
ISSUED TO: DYGERT FARM  
J PETER DYGERT  
164 S EDGEWOOD DR  
SPRINGVILLE, NY 14141

PROJECT: 0000010632 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 591 E MAIN ST  
ISSUED DATE: 6/25/2024  
ISSUED TO: ST PAULS EPISCOPAL CHURCH  
591 E MAIN STREET  
SPRINGVILLE, NY 14141

PROJECT: 0000010633 - ROOFING TYPE: ROOF  
PROPERTY: 410 WAVERLY ST  
ISSUED DATE: 6/25/2024  
ISSUED TO: BILL ROGALA SERVICES  
PO BOX 47  
N COLLINS, NY 14111

PROJECT: 0000010634 - DRIVEWAY TYPE: DRIVEWAY  
PROPERTY: 459 E MAIN ST VET  
ISSUED DATE: 6/25/2024  
ISSUED TO: NACHBAR, SCOTT G  
459 E MAIN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000010635 - UTILITY CHANGES-PLUMBING TYPE: UTILITY CHANGES  
PROPERTY: 36 EAST AVE  
ISSUED DATE: 6/25/2024  
ISSUED TO: BROENEMAN, KAREN  
36 EAST AVE  
SPRINGVILLE, NY 14141

VILLAGE OF SPRINGVILLE  
July 15, 2024  
Page 4  
PERMITS AND APPLICATIONS

PROJECT: 0000010636 - VIOLATION  
PROPERTY: 435 MILL ST  
ISSUED DATE: 6/26/2024  
ISSUED TO: HUDZINSKI, LORI  
38 RAUCH DR  
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000010637 - SWIMMING POOLS  
PROPERTY: 57 SMITH ST  
ISSUED DATE: 6/26/2024  
ISSUED TO: GOODROW, KATHERINE A  
57 SMITH ST.  
SPRINGVILLE, NY 14141

TYPE: SWIMMING POOLS

PROJECT: 0000010638 - SIGNS  
PROPERTY: 6 E MAIN ST  
ISSUED DATE: 6/27/2024  
ISSUED TO: REID PETROLEUM CORP  
100 W GENESEE ST  
PO BOX 987  
LOCKPORT, NY 14095-0000

TYPE: SIGNS

PROJECT: 0000010639 - RESIDENTIAL ALTERATION  
PROPERTY: 121 MAPLE AVE  
ISSUED DATE: 6/27/2024  
ISSUED TO: FRANK'S COMMERICAL & HOME  
2080 MILITARY ROAD  
TONAWANDA, NY 14150

TYPE: RESIDENTIAL ALTERATION

PROJECT: 0000010640 - ROOFING  
PROPERTY: 55 E MAIN ST  
ISSUED DATE: 6/27/2024  
ISSUED TO: SAHLEMS ROOFING AND SIDING  
2260 SOUTHWESTERN BLVD  
WEST SENECA, NY 14224

TYPE: ROOF

PROJECT: 0000010641 - ROOFING  
PROPERTY: 334 MILL ST  
ISSUED DATE: 6/27/2024  
ISSUED TO: KREZMIEN, JESSIE  
334 MILL ST  
SPRINGVILLE, NY 14141

TYPE: ROOF

PROJECT: 0000010642 - SIGNS  
PROPERTY: 72 S CASCADE DR  
ISSUED DATE: 6/28/2024  
ISSUED TO: EMPIRE PETROLEUM SERVICES  
6515 TRANSIT ROAD  
BOMANSVILLE, NY 14026

TYPE: SIGNS

VILLAGE OF SPRINGVILLE  
July 15, 2024  
Page 5  
PERMITS AND APPLICATIONS

PROJECT: 0000010643 - UTILITY CHANGES  
PROPERTY: 17 PARK ST  
ISSUED DATE: 6/28/2024  
ISSUED TO: NEW LIFE FELLOWSHIP CHURCH  
17 PARK ST  
SPRINGVILLE, NY 14141

TYPE: UTILITY CHANGES

PROJECT: 0000010644 - EVENT-GATHER AT THE GULLY  
PROPERTY: 49 E MAIN ST  
ISSUED DATE: 6/28/2024  
ISSUED TO: SPRINGVILLE CENTER FOR THE ART  
37 N BUFFALO ST  
PO BOX 62  
SPRINGVILLE, NY 14141

TYPE: EVENT

PROJECT: 0000010645 - ROOFING  
PROPERTY: 366 N BUFFALO ST  
ISSUED DATE: 7/01/2024  
ISSUED TO: MAPLE GUY CONSTRUCTION  
504 PLEASANT AVE  
HAMBURG, NY 14075

TYPE: ROOF

PROJECT: 0000010646 - GARAGE SALE  
PROPERTY: 35 CHILDS ST  
ISSUED DATE: 7/01/2024  
ISSUED TO: BRISLEY, WILLIAM & DEANN  
35 CHILDS ST  
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000010647 - ROOFING  
PROPERTY: 87 ELK ST  
ISSUED DATE: 7/01/2024  
ISSUED TO: BUFFALO'S BEST ROOFING CO LLC  
4589 GENESEE ST  
CHEEKTOWAGA, NY 14225

TYPE: ROOF

PROJECT: 0000010648 - ACCESSORY BUILDING  
PROPERTY: 127 S VAUGHN ST  
ISSUED DATE: 7/01/2024  
ISSUED TO: BROENEMAN, ERIC  
127 S VAUGHN ST  
SPRINGVILLE, NY 14141

TYPE: ACCESSORY BUILDINGS

PROJECT: 0000010649 - GARAGE SALE  
PROPERTY: 92 CHURCH ST LR  
ISSUED DATE: 7/02/2024  
ISSUED TO: LUX, AMBER  
92 CHURCH ST., LR  
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

VILLAGE OF SPRINGVILLE  
July 15, 2024  
Page 6  
PERMITS AND APPLICATIONS

PROJECT: 0000010651 - SIGNS  
PROPERTY: 325 S CASCADE DR  
ISSUED DATE: 7/02/2024  
ISSUED TO: FLEXLUME SIGN CORP  
1 ALBRIGHT COURT  
LACKAWANNA, NY 14218

TYPE: SIGNS

ATTACHMENT NO. CA1  
AGENDA DATE 7/15/24

*Village of Springville  
Historic Preservation Commission*

June 10, 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-absent  
John Baronich  
Kelly Baker

*Also present:*

Sharon Heinen-Love Inc  
Tom and Jen Roberts-13973 Mill St  
Anderson Roberts-13973 Mill St  
Michael Wolniewicz-200 N Buffalo St  
John Domes-55 E. Main St  
Jessica Domes-55 E. Main St  
Jacob Domes-55 E. Main St  
Michael & Mary Laflamme-55 E. Main St

*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 Love Inc., located at 62 E. Main Street. They are looking to have the existing metal awning on front of the building painted due to chipping. Sharon presented the Board with two (2) color samples. Love Inc. would prefer to use the blue color presented, but needed to know if the green color would be ok if needed.

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

*John Baronich made the motion to approve as presented. Either of the colors will be fine. Seconded by Helen Brogan. All in favor, none opposed.*

The next Certificate of Appropriateness comes from John Domes in regard to 55 E. Main Street. The work being done is under a Grant. The owners of the property would like to

June 10, 2024  
(pg.2)

remove existing canopy, windows, siding and columns. They will rebuild the entry way and front façade.

John presented the board with pictures and an outline of the scope of work to be done on the outside and inside of the building.

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

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

Mike Wolniewicz came before the Board in regard to an earlier TABLED Certificate of Appropriateness for the property at 26 Franklin Street. The application was for a Mural on his property as well as a new Fence. Today Mike is here to discuss the Fence part of the application.

Mike would like to install a guard rail type fence along the property line in front next to the Trading Post. It will be constructed of 10" pressure treated posts on 5' center. It will be between 32"- 40" tall and topped with a finished 8" x 12" surface made out of Larch Wood. The entire fence will be stained black.

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

*Bill Skura made the motion to approve the Certificate of Appropriateness as presented, seconded by John Baronich. All in favor, none opposed.*

Tom Roberts presented a new Certificate of Appropriateness for the property located at 18-26 E. Main Street. This application is being considered as phase 1 of the project.

This phase includes only the siding on the exterior of the building and renovation of the porch. The siding will be 6" horizontal cement board (Hardy Plank) wood grain in earthtone grey.

Tom would like to reclaim three (3) turn of the century wire glass windows. He will not expose the 4<sup>th</sup> window and that part of the building will be closed off inside. The reason for this has to do with square footage and having to install sprinkler systems.



June 10, 2024  
(pg.3)

The flooring of the porch will be stamped concrete with a wood grain pattern. The column posts will be 6" x 6" posts and the roof will be corrugated metal with black trim.

The commercial door to the porch will be a swinging exterior with a crash bar.

After much discussion and review of the designs on his laptop, Chairman Skura asked for a motion.

*Motion was made by Kelly Baker to start phase 1 of the project as presented, seconded by Helen Brogan. John Baronich abstained from the vote and voiced his concerns as to his faith that the work will continue as stated All in favor, one 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.

Chairman Skura asked for a motion to approve the minutes from the May 20, 2024, meeting.

There was concern as to whether the minutes could be approved because out of the four (4) members present, only two (2) of them were at the May 20, 2024, meeting. Our liaison Jessica Shuster said they could be approved as long as the minutes were read by all members present.

*Bill Skura made the motion to approve the minutes, seconded by Helen Brogan. All in favor, none opposed.*

Jessica Shuster made mention that there is a resolution before the Village Board to remove a section from the Springville Public Art Advisory Committee (SPAAC). The section to be removed is III. Design Process for Public Art in Local Historic Preservation District On Private Property.

After some discussion, the Historic Preservation Board decided that if the Village Board wants to remove that section, they are fine with that decision.

*Kelly Baker made the motion to adjourn at 8:40 pm, seconded by John Baronich. All in favor, none opposed.*

Respectfully Submitted,  
Jennifer Blumenstein

**VILLAGE OF SPRINGVILLE  
PLANNING BOARD MINUTES**

MAY 28, 2024

7:00 P.M.

A meeting of the Planning Board of the Village of Springville was held at the SGI High School Auditorium, 290 N. Buffalo St. Springville, New York at the above date and time. Present were:

Chairman:	Bob Muhlbauer
Members:	Ed Young
	Tim Shriver
	Greg Keyser
	Devin Kowalske
Building Inspector/ CEO:	John Baker
Clerk:	Julie Nunweiler
Liason	Russ Belscher
Superintendent of Public Works	Duane Boberg
Village Attorney	Paul Weiss

Also Attending

See attachment A1 Public Sign In

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:*

***A petition to rezone Dygert Farm located at 206 Elk Street, Springville, NY***

Chairman Muhlbauer started by making it clear that the reason for this meeting is for the developer to present its petition to rezone the property and allow time for public comments and questions. He also explained that there would not be a final decision made tonight on the project as it would need to go before the Village Board for that. Chairman Muhlbauer then handed over the microphone to Mark Longo, the attorney for the potential buyers, to address the board.

Mr. Longo mentioned the Comprehensive Plan which the Village adopted in 2015 which was put into place as a guideline to help how we want our community to grow. He said his clients are a husband and wife from Clarence and are aware of the need for homes in our area. He went on to say how this plan with a mix of multiple dwelling units providing green space with well-lit sidewalks making it walkable to our downtown would bring approximately two hundred people

supporting our local businesses and would create over a million dollars tax revenue as well as create jobs.

Next up to speak was Michae Metzger, the developer who explained the new proposal. He referred to the drawing and explained that the thirty acres currently zoned R-8.5 would allow 153 single family homes. This new plan would add both R-6 (two family homes) middle blue section and RM (multiple dwelling units) lower green section which would require a zoning change. He also mentioned our Comprehensive plan which is in place for what our growing village sees a need for and that there is a need for additional housing. He explained that the village has five hundred acres (25%) of land that is not developed. Chairman Muhlbauer questioned market values of single family homes as compared to patio homes and mix dwellings which the developers said would depend on square footage. They also discussed the fact that patio homes which are typically higher as buyers like less square feet but include all the amenities. Town homes would be less expensive and typically have Homeowners Associations.

The fact that this property is currently zoned agricultural was mentioned and that the new owner will need to pay taxes and would no longer get a tax break.

Chairman Muhlbauer thanked the developers for their presentation and wanted to open public comment. He mentioned that the board had read letters that were mailed to the Village office by concerned citizens. and that they have been in touch with our Dept. of Public Works, Electric and Fire Departments to confirm each could manage this project.

See attachment A2 for public comments and letters.

Chairman Muhlbauer asked for a motion to vote on the applicants request to make the recommendation to the Village Board to change the zoning.

*The vote went as follows:*

- |                         |            |
|-------------------------|------------|
| • <i>Bob Muhlbauer</i>  | <i>aye</i> |
| • <i>Greg Keyser</i>    | <i>nay</i> |
| • <i>Ed Young</i>       | <i>nay</i> |
| • <i>Tim Shriver</i>    | <i>nay</i> |
| • <i>Devin Kowalske</i> | <i>aye</i> |

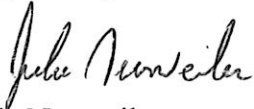
**Denied**

*Page 3*

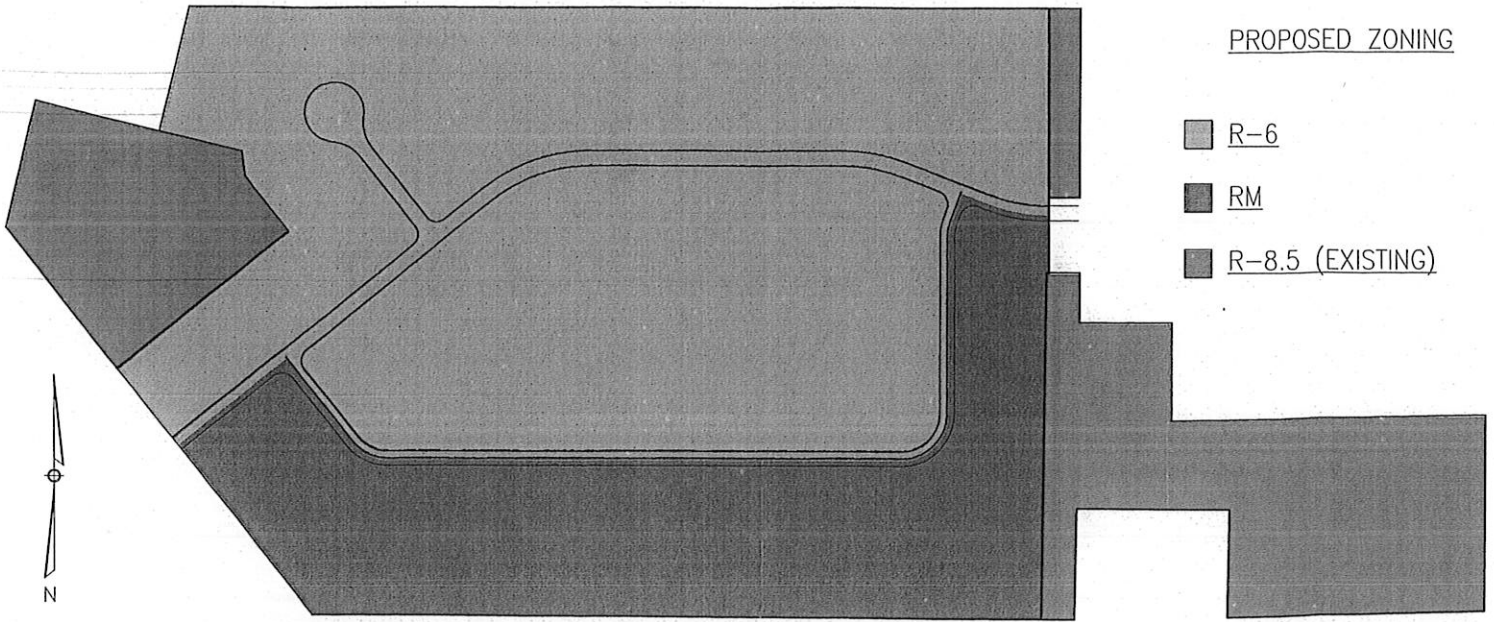
Lastly, Chairman Muhlbauer asked for a motion to approve the minutes from the April 23, 2024 Planning Board meeting. Devin Kowalske made the motion, seconded by Tim Shriver. All in favor, none opposed.

At 9:03 pm Chairman Muhlbauer asked for a motion to adjourn. Devin Kowalske made the motion, seconded by Tim Shriver. All in favor, none opposed. Meeting adjourned.

Respectfully Submitted,

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

Julie Nunweiler



PROPOSED ZONING

- R-6
- RM
- R-8.5 (EXISTING)

<b>METZGER CIVIL ENGINEERING, PLLC</b> 8245 SHERIDAN DRIVE WILLIAMSVILLE, NY 14221 PH: 716-633-2601 FAX: 716-633-2704	<b>RESIDENTIAL DEVELOPMENT</b> <b>206 ELK STREET</b> VILLAGE OF SPRINGVILLE,      ERIE COUNTY,      NEW YORK	SCALE:                      NTS DATE:                        APRIL 9, 2024 JOB NO:                      M-2329 SHEET NO:
	<b>REZONING DISPLAY</b>	<b>RD-1</b>

CIVIL ENGINEERING  
 LAND PLANNING  
 SITE DESIGN  
 MUNICIPAL ENGINEERING

A 1

# PLANNING BOARD

Village of Springville

Date: May 28, 2024

PLEASE SIGN IN

PRINT NAME

ADDRESS

JAMES KREZMIEN	33 GREENWOOD PI Sp
Steve & Jill Pilsadnick	39 Childs St, Springville
DR ALAN AND USA LINES.	SPRINGVILLE
Linda Paterak & John Lange	Springville
Tim & Sue Bielasik	136 East Ave Springville
Joseph Shepard	133 Cutharungus Street
Cheyle DASH	57 NEUMAN ST, SPRINGVILLE
TOM LAW	25 SPAS DR. SPRINGVILLE NY
Charles Harrigan	87 Elk St, Springville, NY
Monika Harrigan	87 Elk St, Springville NY
Annemarie Harrigan	87 Elk St. Springville NY
Abee Harrigan	87 Elk St.
Ryan Beechel	87 FIK ST.
Jenny Wiede	4770 E. Becker Rd. Collins NY
Red Davie	153 Childs St
Lori Davie	153 Childs St

THANK YOU

# PLANNING BOARD

Village of Springville

Date: May 28, 2024

PLEASE SIGN IN

<u>PRINT NAME</u>	<u>ADDRESS</u>
Tracy Drozel	26 Cattaraugus St.
John Arbours	157 M. U ST
Tara Lomy	Boston Cross Rd.
Rob Scharf	168 Elk St, Springville
Jim Duprez	46 Rauch Dr.
Bev Kirkpatrick	58 Rauch Dr
GARY KILMARRIL	58 RAUCH DR.
Jeanne Cochran	26 Ellis Ave.
Miko Cochran	26 Ellis Ave
Mawreen McNamara-Whitey	98 Elk St.
Mary Cudney	110 Elk Street
Laura Kelley	92 Elk Street
Deborah Niss	108 Popul St.
Jon Voff	108 Pearl St
Donna Fay	73 Childs St.
Kathleen Mills	319 E. Main & East Ave

THANK YOU

# PLANNING BOARD

Village of Springville

Date: May 28, 2024

PLEASE SIGN IN

PRINT NAME

ADDRESS

Deb & Don Bennett	13660 East Ave Springville
DENNIS DAVIS	126 EAST AVE SPOL
Sue Burdick	125 East Ave Springville
Bryan + Sarah Bakseine	93 Childs St. Springville
Joan Vasiliouskas	35 W Edgewood Dr Spr
Carl Eichenlaub	95 Ellis Springville
MARTY KREBS	8903 CATTARAUGUS ST SPRINGVILLE
Debbie Smith	86 Childs St
Melanie Miller	371 Mill St. Spr.
James Miller	371 Mill St Spr.
Charlotte Dudley	71 S. Edgewood Dr.
Dan & Stacie	71 S. Edgewood dr.
John & Tracy	67 EAST. Springville
Terry Mellett	21 WOODWARD
Lindsey + Tom + Makaya + Logan	40 S Edgewood Dr
Phil PROED	26 CATTARAUGUS

THANK YOU



# PLANNING BOARD

Village of Springville

Date: May 28, 2024

PLEASE SIGN IN

<u>PRINT NAME</u>	<u>ADDRESS</u>
ROBIN STOL	
Patricia Smith	136 W. Edgewood Dr
Murray Smith	136 W. Edgewood Dr
Julie Delasandro	150 East Ave
Nina Hansen	117 East Ave
Sarah Addison	122 East Ave
Brett Lindsman	359 West main
Mito Pendl	41 Ranch Dr.
Scott Walker	13822 White St
Holly Walker	13822 White St
BRAD GLASS	108 MYRTLE AVENUE
Cindy Fisher	54 Childs St
Suzanne Ripstein	39 N. Edgewood
Annmaria Cooca	148 W. main
Mark Brown	110 CATTARAUGUS ST.

THANK YOU

# PLANNING BOARD

Village of Springville

Date: May 28, 2024

PLEASE SIGN IN

PRINT NAME

ADDRESS

Christy Duprey	133 W Edgewood Dr. Springville
Tom Duprey	133 W Edgewood Dr SV
Laura Gunnells	875 Edgewood Dr Sprv
John Nasri	875 Edgewood Dr. Sprv
Joan Crawley	114 West Edgewood Dr SV
Larry "	" "
JoAnn Hodges	115 West Edgewood Dr. SVL.
Constance Debo	50 ELLIS Av Sprv
Lynette Johnson	135 East Avenue
Michele Bain	10 S Edgewood Dr
Tim Bain	10 S. EDGEWOOD DR.
Jermiah Kam	109 Elk
Julie Francisco	110 Prospect, Springville
John's Marsha Reding	57 Woodhaven Dr. Springville NV

THANK YOU

# PLANNING BOARD

Village of Springville

Date: May 28, 2024

PLEASE SIGN IN

PRINT NAME

ADDRESS

Jessica Donitt 89 East Ave

Max Borsuk Sprinsville Journal

Chris Krefl 359 W. Main

Kelly Baker 147 Elk Street

John Mark Silber Nachbar 13827 White Street

VICTORIA PERRY 12900 Main St

Michael Logsdon 24 N. Edgewood Dr.

Dou Kanats 56 Woodland Hgts

Stephen Boucher 148 W. Main St

JERRY GLASSO 115 RAUCH DR

LAURIE MOHLBAUER 126 N. BUFFALO ST

Brianna Logsdon 24 N Edgewood

Alyson 104 W Edgewood

THANK YOU

A-2

Planning Board Meeting May 28, 2024

Public Comments

Marty Krebs -not anti-development in general but against rezoning for residential development as drawn.

Julie Fransisco-would like to see a traffic study.

Martha Dygert-Plan is vague buyers could end up selling.

Brett Landsman-only farm left in town lost agriculture zone as no animals.

Joseph Shepard-will be forced to move.

Dennis Daines-concerned about Electric and having brown outs.

John Reding-concerns about power, water and sewer.

John Lang-lived in Pittsburgh and saw a similar development fail.

Parker Brown- do not give variance until we know for sure what we are approving.

Maureen-do not let Springville get like Clarence, W. Seneca or Williamsville.

Jim Duprey-feels that there isn't enough room for this development.

Mike-develop neighborhoods we already have finish what is already started.

Paul Weiss -if all single family would not need rezone.

Scott Nachbar-against rezone no rentals and townhomes

Jerry Grasso-concerned with traffic and brown outs

VILLAGE OF  
SPRINGVILLE

MAY 24 2024

RECEIVED

13660 East Avenue  
Springville, NY 14141  
May 21, 2024

Village of Springville  
5 West Main Street  
Springville, NY 14141  
To The Village of Springville Planning Board:

We are very concerned about the possible rezoning of the Dygert Farm. We have an active farm at the end of East Avenue. As we previously stated we are not against housing; we **are** against the large density of housing proposed for the Dygert Farm.

As an active farm, we are concerned that the new residents may complain about the noises and smells associated with a farm. We feel that this concentration of population combined with little green space will lead to trespassing and negative interaction with our electric fences, cattle, and farm equipment. Last year, we experienced \$30,000 damage to our farm and equipment from a juvenile who rode his bicycle 1.5 miles from his residence in the village. Due to the lack of green space and small lot size our fear is that we are going to be overrun with people due to the temptation to explore our property.

Is the village concerned about the safety of its current residents? With the increased population, will the village be providing more police coverage or requesting more services from Erie County Sheriffs? Is the village prepared to install sidewalks on East Avenue, the Edgewoods, and Cattaraugus Street as it will no longer be safe to walk on the roadways with the huge increase in traffic. Is the village prepared to make improvements at the intersection of East Avenue and Route 39 which can be difficult to navigate now? East Avenue is narrow. Has the village done a traffic study on how the substantially increased traffic will affect a neighborhood that has a single, narrow ingress and egress?

In addition to the concerns we have outlined, we feel the developer, their engineer, and their attorney have been acting in bad faith with our neighborhood and the Village of Springville. It is clear when talking to Pete Dygert following the November 2023 presentation at the village board meeting, that the plan presented that evening was never the real plan, simply a ploy or a negotiation tool. Please do not be misled into allowing a large-scale development that will forever change the character of the surrounding neighborhoods and the village.

Sincerely,



Donald & Deborah Gernatt

VILLAGE OF  
SPRINGVILLE

MAY 16 2024

Village of Springville Planning board

RECEIVED

Dated 05/15/2024

Dygert Farm - most recent design.

We have lived at 71 S. Edgewood Drive for over 25 years.

My personal opinion of the recent design is that they are trying to get the most occupancy for the acreage which I understand is the best for the buyer BUT our neighborhood has not been built in that way. The owner needs to visit the site and get a better feeling as to how these lots could sell with more acreage and frontage. Our home has 150' of frontage and just over 1 acre. I would propose two unit duplex units as up at East Hill Run road here in the village where the 4 unit townhouses are proposed.

Question - How are those four unit townhouses going to park a minimum four cars in two spots as shown on the plan? I see no excess parking lots shown.

S. Edgewood drive, East Avenue, West Edgewood, Rauch Drive are NOT designed for 108 new units vehicles and construction equipment, fire trucks, buses, delivery vehicles, etc , etc..

Also our Village water/ Electrical/ Sewer system will not be able to handle that new volume of residents.

We are not against new neighbors but not all squeezed together. Maybe redesign as a residential community with bigger lots and more frontage. The minimum is not always the best choice.

I would also love if they could keep the 1800 historical race track somehow.

David Stahley  
71 S. Edgewood dr.  
Springville, NY 14141  
716-498-7501  
davidstahley@roadrunner.com

Marty Krebs, 20-year resident at 8903 Cattaraugus St.

To the Village employees and Board members here tonight, thank you for your service to our community, and thank you for moving this meeting so there is enough room for my friends and neighbors.

Not anti-development in general, however, but I am against rezoning for the residential development as drawn.

1. The uploaded drawing resolution is very poor. It is near impossible to read. Legible high-resolution drawings should be made available on the Village website.
2. The planned homes are way too dense for that area of the village. It is important to note the difference between the quantity of buildings and quantity of residential units, as each residence will bring with it people and cars.
3. The drawing calls for 25 single family homes, 39 dual residence patio homes, and 11 4-unit town homes. Therefore the 75 planned buildings equal a total of 147 new residential units. That could be 294 cars and over 300 people.
4. The drawings leave no room for snow removal piles, no room for visiting guests or trades, no room for just about anything.
5. The surrounding streets and neighborhoods are incompatible as they are single family homes, nor are they designed to deal with that additional density of traffic or people. The number one point of egress is a country lane without sidewalks.
6. Although the drawing shows 2 streets into the development, the vast majority of traffic will exit to Cattaraugus St and flow up South Buffalo to turn left on either Woodward or West Main St. The involved intersections not designed for heavy traffic, and there are already too many close calls with kids on bicycles and pedestrians.

7. Zoning is meant to protect the health, safety, and property values by separating potentially incompatible uses. In addition, property buyers and owners count on them to ensure their home is in the neighborhood of their choice, and that it does not change drastically before their eyes.

In Summary, the proposed density is incompatible, and no change to the established zoning should be made at the expense of the existing residents of the Village or surrounding properties. Previously, I suggested making the drawing a less dense. The neighborhood should be modeled after the adjacent East Avenue, Childs and Elk Streets. I understand the property can be sold and things change, but we should stick with our existing zoning plan. Thank you for your time, and I thank all my friends and neighbors for voicing their thoughts this evening.

Martin Krebs

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Springville, NY 14141

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