

VILLAGE OF SPRINGVILLE
2022 MINUTES

May 16, 2022

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:

Trustees	Reed Braman Lindsay Buncy Mary Padasak Terry Skelton, Deputy Mayor
Village Administrator	Liz Melock
Superintendent of Public Works	Duane Boberg
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Village Attorney	Yvonne Tripi
Officer in Charge	Nicholas Budney
Deputy Clerk	Holly Murtiff
Also Attending	Max Borsuk, Springville Journal
Absent	Paul Weiss, Village Attorney Marc Gentner, Fire Chief Timothy Michaels, Mayor

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

Deputy Mayor Skelton asked for a moment of silence to commemorate the victims of the Buffalo Jefferson Street Tops shooting.

1. Minutes Minutes of the Regular Meeting of May 2, 2022 were approved as written by Trustee Braman, seconded by Trustee Buncy; carried, Deputy Mayor Skelton, Trustees Braman, Buncy and Padasak voting yes, none opposed.

PUBLIC COMMENT

There was no public comment this evening.

DEPARTMENT REPORTS
ADMINISTRATOR REPORT

2. Resignation Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Deputy Mayor Skelton, Trustees Braman, Padasak and Buncy voting yes, none opposed to accept with regret the retirement resignation of the Streets Leadman Greg Reynolds effective May 31, 2022. Greg has worked for the Village of Springville for almost 27 years and will be greatly missed.
3. Pole Attachment Bid Motion was made by Trustee Braman, seconded by Trustee Buncy; carried, Deputy Mayor Skelton, Trustees Braman, Buncy and Padasak voting yes, none opposed to award the bid for pole attachment make ready work for First Light Fiber to Ferguson Electric Construction Co.,

Inc. in the amount of \$270,370 for bid work of 13 – 55 foot electric poles with crossarm construction per sealed bids opened May 12th.

4. 22-25 Snow Removal & Ice Control Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Deputy Mayor Skelton, Trustees Braman, Padasak and Buncy voting yes, none opposed to authorize Deputy Mayor Skelton to sign the Erie County Snow Removal & Ice Control effective for the period of September 1, 2022 through August 31, 2025. The contract has been sent to all Board members.
5. SVFD New Member Motion was made by Trustee Padasak, seconded by Trustee Buncy; carried, Deputy Mayor Skelton, Trustees Padasak, Buncy and Braman all voting yes, none opposed to approve Casey McCabe as a member of the Springville Volunteer Fire Department effective immediately.

Administrator Melock discussed the following items with the Board;

- April financial reports have been submitted to the Board.
- Village tax bills will be mailed on May 31st to the owner on record and are due by July 1st without penalty.
- Country Fair filed an Article 7 on their assessment at 21 S. Cascade Dr. to reduce their assessment from \$620,700 to \$410,000 which is a tax reduction of \$3,955.88 and the Supreme Court order was received on 5/11/22. The 22/23 Village tax bill has been adjusted. The order has been sent to the Village Board and Attorney.
- H & K Services will be installing the piles in the shoring for the WWTP Improvements beginning May 16th for about two weeks. The village residents will hear and feel the loud pounding of these piles. We have posted this on our web page and Facebook.
- There was a meeting last week with the SCA regarding the ARTS crawl events on 6/4/22.

SUPERINTENDENT REPORT

6. NYMPA Voting Delegate Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Deputy Mayor Skelton, Trustees Braman, Padasak and Buncy voting yes, none opposed to appoint Superintendent Duane Boberg as the voting member for the Village of Springville at the New York Municipal Power Authority meeting in Syracuse on May 26, 2022 as shown below.

RESOLUTION

At a regular meeting of the Board of Trustees of the Village of Springville, New York, held on May 16, 2022, the following resolution was adopted:

Moved by Trustee Braman, seconded by Trustee Padasak

WHEREAS, the Superintendent of Public Works of the Village of Springville, New York, is a municipal member of the New York Municipal Power Agency, and

WHEREAS, in accordance with the bylaws of the New York Municipal Power Agency, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Superintendent of Public Works Duane Boberg be and is hereby designated as the accredited delegate of the Village of Springville, New York.

On roll call: Affirmative: 4 Negative: 0 Absent: 1

7. Summer Employees Motion was made by Trustee Padasak, seconded by Trustee Buncy; carried, Deputy Mayor Skelton, Trustees Padasak, Buncy and Braman voting yes, none opposed to hire the below listed summer student employees starting May 23, 2022 at a rate of \$15.00 per hour.

Adam Ditchey (returner) Streets Dept
Zach Martin (returner) Water Dept.
Rowen Potzler Streets Dept.
Henry Domst Streets Dept
Joe Antonio Electric Dept

Superintendent Boberg discussed the following with the Board.

- The bases for the shade sails at the Spray Park have been installed and will be ready when the park opens. The rest of the park is moving forward.
- North Central has been paved.
- Skate Park landscaping starts tomorrow.

POLICE DEPARTMENT

8. AR-13 & SU-1 Changes Motion was made by Trustee Padasak, seconded by Trustee Braman; carried, Deputy Mayor Skelton, Trustees Padasak, Braman and Buncy voting yes, none opposed to amend sections AR-13 (fingerprinting) and SU-1 (weapons) of the Village of Springville Police Department's Manual of Procedures reflecting changes to both procedures. **051622 A.1 (AR-13), 051622 A.2 (SU-1)**

Officer in Charge Nick Budney took this opportunity to thank Sarah Burdick and the Walmart Foundation for awarding the Springville Police Department a \$3,000 grant for the annual Shop with a Cop event. 2022 will be the 7th annual event which would not be possible without this generous funding.

FIRE DEPARTMENT

There was no Fire Department report this evening.

BUILDING INSPECTOR/CEO

BI/CEO Kaleta had no report this evening.

CONTROL CENTER

Administrator Melock read the April 2022 Control Center report.

NEW BUSINESS

9. NYCOM Length of Service Award Deputy Mayor Skelton congratulated Timothy Dome of the Water/Sewer Division for receiving his 30 year Length of Service Award from the New York Conference of Mayors.

OLD BUSINESS

There was no Old Business to discuss this evening.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #330 – 345 of 2021/2022 total of \$475,824.13 for the General, Water/Sewer,

PROJECT: 0000009852 - LICENSES TYPE: LICENSES
PROPERTY: 5 W MAIN ST VO
ISSUED DATE: 5/02/2022
ISSUED TO: COMMUNITY DISPOSAL SERVICES
11081 GALEN HILL RD
FREEDOM, NY 14065

PROJECT: 0000009853 - LICENSES TYPE: LICENSES
PROPERTY: 127 MAPLE AVE
ISSUED DATE: 5/02/2022
ISSUED TO: JAKE AND THE FATMAN BBQ
127 MAPLE AVE
SPRINGVILLE, NY 14141

PROJECT: 0000009854 - DRIVEWAY TYPE: DRIVEWAY
PROPERTY: 148 NEWMAN ST
ISSUED DATE: 5/02/2022
ISSUED TO: LOWENBERG, LISA
13359 MORTONS CORNERS ROAD, UNIT 2
SPRINGVILLE, NY 14141

PROJECT: 0000009855 - LICENSES-SEEDLING SALES TYPE: LICENSES
PROPERTY: 5 E MAIN ST
ISSUED DATE: 5/02/2022
ISSUED TO: NATIVE OFFERINGS FARM LLC
8501 MAPLES ROAD
LITTLE VALLEY, NY 14755

PROJECT: 0000009856 - ROOFING TYPE: ROOF
PROPERTY: 52 FOREST AVE
ISSUED DATE: 5/03/2022
ISSUED TO: BELSCHER, ANTHONY
52 FOREST AVE
SPRINGVILLE, NY 14141

PROJECT: 0000009857 - FIRE INSPECTION TYPE: FIRE INSPECTION
PROPERTY: 29 N CASCADE DR
ISSUED DATE: 5/03/2022
ISSUED TO: HERB CITY
3440 LAKEWOOD DR
N TONAWANDA, NY 14120

PROJECT: 0000009858 - PLANNING BOARD REVIEW TYPE: PLANNING BOARD
PROPERTY: 17 E MAIN ST REVIEW
ISSUED DATE: 5/03/2022
ISSUED TO: SCHUNK, STEVE
PO BOX 605
SPRINGVILLE, NY 14141

PROJECT: 0000009859 - VIOLATION TYPE: VIOLATION
PROPERTY: 112 ELM ST
ISSUED DATE: 5/03/2022
ISSUED TO: KLEIN, KRISTINE
112 ELM ST
SPRINGVILLE, NY 14141

PROJECT: 0000009860 - DECKS TYPE: DECKS
PROPERTY: 135 MILL ST
ISSUED DATE: 5/04/2022
ISSUED TO: NGUYEN, TONY
135 MILL ST
SPRINGVILLE, NY 14141

PROJECT: 0000009861 - ROOFING TYPE: ROOF
PROPERTY: 135 MILL ST
ISSUED DATE: 5/04/2022
ISSUED TO: NGUYEN, TONY
135 MILL ST
SPRINGVILLE, NY 14141

PROJECT: 0000009862 - LICENSES-CHICKEN TYPE: LICENSES
PROPERTY: 156 N CENTRAL AVE
ISSUED DATE: 5/04/2022
ISSUED TO: MCILREATH, ROBERT & ELIZAB
156 N CENTRAL AVE
SPRINGVILLE, NY 14141

PROJECT: 0000009863 - ACCESSORY BUILDING TYPE: ACCESSORY
PROPERTY: 172 N CASCADE DR BUILDINGS
ISSUED DATE: 5/06/2022
ISSUED TO: BALLACHINO, MARK V
172 N CASCADE DR
SPRINGVILLE, NY 14141

PROJECT: 0000009864 - DRIVEWAY TYPE: DRIVEWAY
PROPERTY: 219 ELM ST
ISSUED DATE: 5/06/2022
ISSUED TO: O'BRIEN, THOMAS
219 ELM ST.
SPRINGVILLE, NY 14141

PROJECT: 0000009865 - UTILITY CHANGES TYPE: UTILITY CHANGES
PROPERTY: 78 E MAIN ST
ISSUED DATE: 5/06/2022
ISSUED TO: WINTER, KENNETH
3005 ROUTE 39
ARCADE, NY 14009

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10. Adjourn Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Deputy Mayor Skelton, Trustees Braman, Padasak and Buncy voting yes, none opposed to adjourn the Regular Session at 7:23 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

AR-13
FINGERPRINTING

ATTACHMENT NO. 051622A.1
AGENDA DATE 5/16/22

A. Responsibilities

1. Officers are responsible to carry out the departmental procedures governing the fingerprinting and photographing of persons.

B. Persons to be fingerprinted

A person who is arrested under the following circumstances will be fingerprinted.

1. Felony.
2. Misdemeanor defined in the Penal Law.
3. Misdemeanor defined outside the penal law that would constitute a felony if such a person had a previous conviction for a crime.
4. Loitering for the purpose of engaging in a prostitution offense as defined in subdivision two of §240.35 and 240.37 of the Penal Law.
5. Driving while intoxicated (DWI) arrests.
6. Any officer may take the fingerprints of a person arrested for any offense, either with or without a warrant under the following conditions, if he:
 - a. Is unable to ascertain such person's identity.
 - b. Reasonably suspects that such a person is being sought by law enforcement officials for the commission of some other offense.
7. Arrestees noted above shall be issued a notice to appear directing them to be fingerprinted at the Springville Police Station by the designated fingerprinting officer as directed by the Officer in Charge. Exception being prisoners remained to the Holding Center where the officer feels there are extenuating circumstances or feels the defendant will not appear to be printed. The Officer in Charge should be consulted to see if the Erie County Sheriff's Office could process in the absence of a trained Village of Springville Officer.

C. Photographs/Palm Prints

1. When fingerprints are taken, a photograph and palm prints of the arrested person shall also be taken.

**SU-1
WEAPONS**

ATTACHMENT NO. 05/16/22 A.2
AGENDA DATE 5/16/22

- A. The Department issues the Glock Model 45 – 9 mm to officers of the Village of Springville Police Department. Officers may not carry a different firearm, unless it is approved by the Officer in Charge, and they successfully qualified with the weapon.
- B. Officers will carry and use their service pistol according to Village of Springville Police Rules and Regulations, and the New York State Penal Law §35.00 to 35.30.
- C. Only ammunition authorized by the Officer in Charge will be used in an officer's service weapon.
- D. All repairs of department issued weapons will be performed or authorized by a range officer. Officers will not attempt to alter, repair, or modify department issued weapons, nor will they allow any other person to do so. This order does not relieve officers of the responsibility of keeping their personally owned weapon clean and serviceable. Officers will report all weapon problems or malfunction to the Officer in Charge immediately and subsequently to a range officer.
- E. Officers shall adhere to the following primary rules of firearm safety:
 - 1. All guns are considered loaded.
 - 2. Point the muzzle in a safe direction.
 - 3. Keep your finger out of the trigger guard until the firearm is on target and you have decided to fire.
 - 4. Be sure of your target and what is beyond it.
- F. Firearms shall not be loaded or unloaded anywhere in the headquarters building.
- G. Personal Firearms
 - 1. §400 of the Penal Law requires that all police officers who possess firearms and machine guns under the legal exemption from the licensing requirement (PL 265.00) must promptly report such possession, in writing, to their employers. This reporting requirement is restricted to firearms and machine guns as directed in 265.00 of the penal law. Therefore, any acquisition or disposal of a firearm or machine gun by a Village of Springville police officer must be reported to the Officer in Charge within ten (10) days.
 - 2. Forms can be obtained from the Officer in Charge and instructions for filling them out are on the back. (C Form).
 - 3. Officers are encouraged to consult with a range officer concerning the safe handling and operation of a newly acquired personal firearm.
 - 4. Officers that wish to carry a personal firearm into the headquarters building must demonstrate proficiency with the firearm as attested to by a range officer.