

VILLAGE OF SPRINGVILLE
2023 MINUTES

February 21, 2023

7:00 P. M.

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

Mayor	Timothy Michaels
Trustees	Reed Braman Lindsay Buncy (via Zoom) Mary Padasak Terry Skelton
Village Administrator	Liz Melock
Superintendent of Public Works	Duane Boberg
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Village Attorney	Paul Weiss
Deputy Clerk	Holly Murtiff
Also Attending	Max Borsuk, Springville Journal Also attending 022123 A.1
Absent	Marc Gentner, Fire Chief Nicolas Budney, Police

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

1. Minutes Minutes of the Regular Meeting of February 6, 2023, were approved after correction, by motion of Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed.

PUBLIC HEARING

2. 198 Maple Order to Remedy This public hearing is cancelled due to the property owner already cleaning up the property.

3. LL 2023-2 At this time Mayor Michaels opened the public hearing for LL 2023-2, Amendments to Chapter 170: Trees.

Mary Carol Dearing of Concord, NY addressed the Board regarding the proposed changes to Chapter 170: Trees. Ms. Dearing expressed concerns over the removal of #2 & 3 from the duties of the Tree Committee and why she feels these should not be removed.

After discussion motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to closing the public hearing.

PUBLIC COMMENT

At this time Mayor Michaels opened the public comment period of the meeting.

The following attendees addressed the Board;

Allison Buckley (2x's)	Village trash collection, bid process
Steve Buckley (2x's)	Village trash collection, bid process
Ben McCrory	Village trash collection
Kathy Lux	Village trash collection
Devin Kowalske	read a prepared statement from Jessica Schuster regarding Village trash collection
Mary James	Village trash collection
Sonya Gulstrom	Village trash collection

There being no more public comment Mayor Michaels closed the public comment portion of the meeting.

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

4. LL 2023-2 Chapter 170 Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to declaring the Village of Springville as the Lead Agency for LL 2023-2, Chapter 170: Trees revisions.

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to adopt LL 2 of 2023-Chapter 170 trees revisions. **022123 A.2**
5. LL 2023-3 Volunteer Firefighter Exemption Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to authorize advertising for the public hearing for LL 2023-3 Volunteer Firefighter Exemption on March 6, 2023 at 7:01pm. **022123 A.3**
6. Inter-Municipal Agreement Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to approve the Inter-Municipal agreement with the Village of Alden for services from Alden's certified waste water treatment plant operator, grade 3 effective March 1, 2023 until December 31, 2023 and authorize Mayor Michaels to sign the agreement.
7. Garbage Bid Award Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to award the garbage bid to Waste Management for the three-year period beginning June 1, 2023 at an initial cost of \$236.14 per unit (\$299,895.26 annual cost for 1270 units) and a cost of \$26.64 per unit (\$33,832.80 annual cost for 1270 units) for the At Your Door Program and authorize the Mayor to sign the agreement with Waste Management.
8. Leave Approval Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes,

none opposed to approve unpaid leave for Clerk to the Village Justice, Kim Crone for 8 weeks effective March 18, 2023.

9. Landscaping Bid Ad Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to authorize Administrator Melock to advertise for bids for the landscaping and plantings in the flower beds and rain gardens on Franklin Street, the Skate Park and Fiddler's Green Park.
10. 23-24 Budget Public Hearing Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to advertise for the public hearing for the tentative budget for the fiscal year 2023-2024 to be held on March 20, 2024 at 7:01 pm.
11. Approve Volunteer Fire Members Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to approving membership in the Springville Volunteer Fire Department for Miranda Richert and Mark Glass effective February 6, 2023.
12. Fire Dept. Surplus Motion was made by Trustee Braman, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Braman, Skelton, Buncy and Padasak voting yes, none opposed to declare the fire department items as surplus and disposed of via scrap/surplus and sold via auction. **022123 A.4**
13. Budget Modifications Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to modify the fire department budget for the insurance proceeds from Travelers for the lost portable radio. Increase revenue line 2680 Insurance Recoveries by \$5,615.62 and increase Expense line 3410.230 Fire Fighter Equipment by \$5,615.62. A new radio has been ordered.
- Administrator Melock updated the Board on the following;
- Free summer concerts have been scheduled and a flyer will go out with the March utility bills along with a Limb & Brush schedule.
 - 96 gallon tote delivery is scheduled for May 30 – June 2, 2023. Property owners on record will be charged \$64 per tote on the Village tax bill. Garbage totes will be set up for delivery to same properties that have recycling totes now.
- SUPERINTENDENT REPORT**
14. Generator Surplus Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to declare surplus the Generac 60 KW natural gas generator from the WWTP. This will be sold via Auctions International.
15. Permanent Employee Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to making Evan Sullivan a full-time employee as of 2/22/23. He has completed his six month probation and has performed very well. His pay will be determined per the union contract.

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Superintendent Boberg discussed the following

- The Village will not be sending out annual bids this year. The market for certain items is so volatile and vendors are unwilling to give solid prices.
- Timothy Sutton, WWTP, has passed his Grade 2 Operator test.

POLICE DEPARTMENT

There is no police report this evening.

FIRE DEPARTMENT

There is no fire report this evening.

BUILDING INSPECTOR/CODE ENFORCEMENT

BI/CEO Kaleta had no report this evening.

CONTROL CENTER

There is no Control Center report this evening.

NEW BUSINESS

16. Sewer Forgiveness Motion was made by Trustee Skelton, seconded by Mayor Michaels; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to approving a sewer forgiveness to the Village of Springville, account #06-8221-01, in the amount of \$940 for the waterline break at the DPW building. None of the water entered the sewer and therefore the forgiveness is granted.

OLD BUSINESS

There was no Old Business this evening.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #241 through #256, total of \$424,628.97 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed.

PERMITS AND APPLICATIONS

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

PROJECT: 0000010115 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 64 PINWOOD DR
ISSUED DATE: 2/03/2023
ISSUED TO: KRAMER, REX
33 EAST MAIN ST
SPRINGVILLE, NY 14141

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PROJECT: 0000010116 - UTILITY CHANGES-WATER TYPE: PLUMBING
PROPERTY: 64 PINWOOD DR
ISSUED DATE: 2/03/2023
ISSUED TO: KRAMER, REX
33 EAST MAIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000010117 - UTILITY CHANGES-SEWER TYPE: PLUMBING
PROPERTY: 64 PINWOOD DR
ISSUED DATE: 2/03/2023
ISSUED TO: KRAMER, REX
33 EAST MAIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000010118 - DRIVEWAY TYPE: DRIVEWAY
PROPERTY: 64 PINWOOD DR
ISSUED DATE: 2/03/2023
ISSUED TO: KRAMER, REX
33 EAST MAIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000010119 - RESIDENTIAL HOME/STRUCT TYPE: RESIDENTIAL
PROPERTY: 64 PINWOOD DR HOME/STRUCT
ISSUED DATE: 2/03/2023
ISSUED TO: KRAMER, REX
33 EAST MAIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000010120 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 15 COMMERCE DR
ISSUED DATE: 2/08/2023
ISSUED TO: KLEM DEVELOPMENT LLC
PO BOX 900
ELY, MN 55731

PROJECT: 0000010121 - MULTIPLE RESIDENCE TYPE: MULTIPLE
PROPERTY: 15 COMMERCE DR RESIDENCE
ISSUED DATE: 2/08/2023
ISSUED TO: STERLING MEDICAL CORP
411 OAK STREET
CINCINNATI, OH 45219

PROJECT: 0000010122 - DECKS TYPE: DECKS
PROPERTY: 251 S CENTRAL AVE
ISSUED DATE: 2/09/2023
ISSUED TO: AHLES, RICHARD C
251 S. CENTRAL AVE.
SPRINGVILLE, NY 14141

PROJECT: 0000010123 - SHEDS, UP TO 144 SQ.FT. TYPE: SHEDS
PROPERTY: 191 MAPLE AVE
ISSUED DATE: 2/09/2023
ISSUED TO: POPPENBERG, TOM
191 MAPLE AVE
SPRINGVILLE, NY 14141

PROJECT: 0000010124 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 499 FRANKLIN ST
ISSUED DATE: 2/09/2023
ISSUED TO: DAVIES, PAUL F III
499 FRANKLIN ST.
SPRINGVILLE, NY 14141

PROJECT: 0000010125 - RESIDENTIAL ALT-WHOLE TYPE: RESIDENTIAL
PROPERTY: 137 WOODWARD AVE ALTERATION
ISSUED DATE: 2/13/2023
ISSUED TO: EJ PROPERTIES INC
334 FRANKLIN STREET
SPRINGVILLE, NY 14141

VILLAGE ATTORNEY NOTES

There was no Attorney's report this evening

TRUSTEE NOTES

Trustee Braman commented on the garbage comments made this evening and expressed that he feels totes is still the best way to go.

Trustee Padasak commented on the garbage comments made this evening and expressed that she feels totes is still the best way to go. Trustee Padasak also congratulated Tim Sutton on passing his Grade 2 Operator test.

Trustee Buncy had no report this evening.

Trustee Skelton had no report this evening.

Mayor Michaels had no report this evening.

TREE COMMITTEE REPORT

There was no Tree Committee report this evening.

10. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to adjourn the Regular Session at 8:03 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

VILLAGE BOARD MEETING

Village of Springville

A.1
2/21/23

Date:

2/21/23

PLEASE SIGN IN

PRINT NAME

ADDRESS

Betty Cherry	261 East Main 14141
STEVEN KANUGA	171 W. MAIN ST. 14141
John Bergend	152 Main St. 14141
Ben McCoy	194 Newnan St 14141
Debbie Owen	Newnan St 14141
Mary Carol Pearis	6971 Genesee Rd. 14141
Steve Buckley	71 W. AS. DR
Allison Buckley	689 E. Main
Mary Jones	27 E Main
Devin Kowarske	21 Park St.
Max Borsuk	Springville Journal
Good citizen	Springville ny
Jane Doe	POC POC
Darwin Gulstrom	256 Elm, Spvt
Sonya Gulstrom	256 Elm Spvt
Kathy Lux	16 Mill Spvt

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date: 2/21/23

PLEASE SIGN IN

PRINT NAME

ADDRESS

Jan Ingerson 341 E Main Sprvl NY

Cindy JA EGER 341 E MAIN SPRVL NY

Jane Wilkes 68 Church Str., Springville NY

THANK YOU

A.2
2/21/23

Proposed Changes to Village of Springville Code

Chapter 170 : Trees

170-4 Tree Committee Established

B. Tree Committee duties

- (1) The Tree Committee advises the Village Board of Trustees, the Planning Board, and the Department of Public Works by studying, investigating, developing and/or updating the Village's written plan for caring for, preserving, pruning, topping, replanting, removing, or disposing of trees and shrubs in parks, along streets, and in other public areas.
- (2) The Tree Committee maintains reference materials relating to trees and shrubs.
- (3) The Tree Committee provides an inventory of the location of street trees and determining areas where such trees could exist but are absent.
- (4) The Tree Committee establishes a suggested species list for the Village and recommends to the Village the types and kinds of trees to be planted upon Village property.
- (5) The Tree Committee identifies trees for immediate removal.
- (6) The Tree Committee provides a long-range Tree Plan every five years for the Village relating to street trees and shrubs.
- (7) The Tree Committee provides the Village Board of Trustees with a yearly estimate and Tree Plan of cost of labor and nursery stock to be used. This estimate shall be presented annually to the Board of Trustees as part of its budget deliberations.

Revised to

- (1) The Tree Committee advises the Village Board of Trustees, the Planning Board, and the Department of Public Works by studying, investigating, developing and/or updating the Village's written plan for caring for, preserving, pruning, topping, replanting, removing, or disposing of trees and shrubs in parks, along streets, and in other public areas.
- ~~(2) The Tree Committee maintains reference materials relating to trees and shrubs.~~
- ~~(3) The Tree Committee provides an inventory of the location of street trees and determining areas where such trees could exist but are absent.~~
- (2) The Tree Committee establishes a suggested species list for the Village and recommends to the Village the types and kinds of trees to be planted upon Village property.
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A.5
2/21/23

Local Law No. 3 of 2023
A Local Law Amending Chapter 160 of the Code of
the *Village of Springville*
Enacting a Property Tax Exemption**
for Volunteer Firefighters and Ambulance Workers
Pursuant to Section 466-a of the Real Property Tax Law

Section 1.

A new Article IV of Chapter 160 of the Code of the *Village of Springville*, entitled "Volunteer Firefighters and Ambulance Workers Exemption," is hereby enacted pursuant to Real Property Tax Law Section 466-a, to read as follows:

Article IV
Volunteer Firefighters and Ambulance Workers Exemption

Grant of exemption.

An exemption of 10% of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Village of Springville as long as eligibility requirements are met.

Eligibility requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter or volunteer ambulance worker resides in the [name of your municipality] and the [name of your municipality] is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by *Village of Springville*, which is hereby established as two years.

Application.

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the *Village of Springville* on a form as prescribed by the New York State Commissioner of Taxation and Finance. The *Village of Springville* must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

Certification.

The *Board of Trustees* must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

[The following three provisions, relating to a lifetime exemption, an exemption for an un-remarried spouse of a volunteer killed in the line of duty, and an exemption for an un-remarried spouse of a deceased volunteer, are OPTIONAL provisions for the governing body to consider when enacting this local law.]

Grant of lifetime exemption.

Any eligible enrolled member who accrues more than 20 years of active volunteer service (as certified by the authority having jurisdiction) shall be granted the 10% exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the Village of Springville.

Un-remarried spouse of enrolled member killed in the line of duty.

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least five years and had been receiving the exemption at the time of his or her death.

Un-remarried spouse of deceased enrolled member.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

Section 2. If any clause, sentence, paragraph, section or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

Section 3. This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law Section 27.

***** This local law may also be used by a municipality that had previously enacted such an exemption pursuant to a special act of the State Legislature to replace their existing local law, as required by Section 466-a(8) of the Real Property Tax Law. However, to do that you must include a section making it clear that you are repealing the old law and replacing it with this one.***

A.4
2/21/23

Fire Department items for auction

Lot 1

- 6 – coats
- 5 – pants
- 9 – helmets
- 1 – EMS coverall
- 1 – EMS coat
- 8 – pairs of boots
- 9 – gear bags

Lot 2

- 21 – Scott air masks
- 2 – Bullard thermal cameras
- 1 – tote of misc. safety harnesses
- Roll of rope
- Variety of pieces of rope

Lot 3

- 2 – Fire police signs
- Directional arrow
- 1 – siren head
- 2 – yellow flashing lites