

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

MAY 15, 2023

7:00 P.M.

BY MOTION OF:

NOTES

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. MINUTES FROM MEETINGS
Regular Meeting Minutes of May 1, 2023 **A.1**
4. PUBLIC HEARING
LL 5-2023 - Chapter 200, Section 2 **A.2**
Changes to Definitions – Front Lot Lines
5. PUBLIC COMMENT
6. DEPARTMENT REPORTS
 - A. ADMINISTRATOR **A.3**
 - B. SUPERINTENDENT'S REPORT **A.4**
 - C. POLICE **A.5**
 - D. FIRE DEPARTMENT
 - E. BUILDING INSPECTOR/CEO
 - F. CONTROL CENTER
7. NEW BUSINESS
HPC Murals Discussion
8. OLD BUSINESS
9. BILLS
10. PERMITS AND APPLICATIONS
11. VILLAGE ATTORNEY REPORT
12. TRUSTEE NOTES & PROJECT REPORT
13. TREE COMMITTEE REPORT
14. EXECUTIVE SESSION
15. ADJOURN

DRAFT

VILLAGE OF SPRINGVILLE 2023 MINUTES

ATTACHMENT NO. A1

AGENDA DATE 5/15/23

May 1, 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 Mary Padasak Terry Skelton
Village Administrator	Liz Melock
Superintendent of Public Works	Duane Boberg
Police Officer in Charge	Nicholas Budney
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Village Attorney	Paul Weiss
Deputy Clerk	Holly Murtiff
Absent	Marc Gentner, Fire Chief
Also Attending	Max Borsuk, Springville Journal
Devin Kowalske	Tracy Drozd
Greg Stowell (out at approx. 7:17 pm)	Beth Marsh
Weston Steiner (out at approx. 7:17 pm)	

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

1. Minutes Minutes of the Regular Meeting of April 17, 2023, were approved as written, by motion of Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed.

PUBLIC COMMENT

Greg Stowell, 12805 Buffalo Rd., addressed the Mayor and Board on the topic of school safety with a prepared statement. **05012023 A.1**

DEPARTMENT REPORTS

ADMINISTRATOR REPORT

2. 23/24 Tax Warrant Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to approving the 23/24 Tax Warrant shown below.

DRAFT

May 1, 2023
Page (2)

LEGAL NOTICE TAX WARRANT 23-24 VILLAGE OF SPRINGVILLE

You are hereby commanded to receive and collect from the several persons named in the Tax Roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total \$2,253,470 for the following purpose:

For the current Budget \$2,042,274
For the Relieved Water/Sewer Charges \$106,895
For the Relieved Taxes/Exempt \$9956
For the Relieved Accounts Receivable \$201
Total Taxes Receivable \$ 2,159,326

Special District 38200 – Garbage totes \$94,144

You are further commanded to receive and collect such sums without additional charge between the first day of June and the first day of July 2023 both inclusive; and thereafter to collect with such of the sums as have not been therefore collected and additional charge of seven and one-half per centum for the first month or fraction thereof, and one and one-half per centum for each month or fraction thereof until paid.

You are further commanded to file the tax roll and warrant in your office on or before the thirty-first day of October, 2023 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

3. Planning Board Member Appointment Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to appointing Timothy Shiver to the Planning Board as a member effective immediately for a 5 year term ending April 3, 2028.
4. SGI Water Main Relocation Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Skelton voting yes, non opposed to authorize the Mayor to sign any and all paperwork for an easement with SGI for the relocation of the village water department water main from our wells at the high school off Eaton Street where the SGI ball diamond is being changed over to artificial turf.
5. LL 5-2023 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 authorize Administrator Melock to advertise for a public hearing for LL 5-2023 Chapter 200 Section 2 – changes to definition- front lot lines to be held May 15, 2023 at 7:01 pm.?
6. LL 6-2023 Public Hearing 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 a public hearing for LL 6-2023, Chapter 200, Section 5, Boundaries on the Zoning Map – Rezone parcels on W. Main and Clark Streets from Single Family (R8.5) to Multiple Family (RM) to be held on June 5, 2023 at 7:01 pm.

DRAFT

May 1, 2023

Page (3)

7. NYMPA Voting Delegate
Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak, Buncy and Skelton voting yes, none opposed to approving Administrator Melock as the voting delegate for the annual NYMPA meeting on May 31, 2023 in Syracuse.

8. Inter-Municipal Highway Shared Services Agreement
Motion was made by Trustee Padasak, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Padasak, Braman, Buncy and Skelton voting yes, none opposed to authorizing Mayor Michaels to sign the inter-municipal highway shared services agreement with the highway and DPW in Erie County.

9. Village Office Roof 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 bid for the village office roof replacement to Shamus Roofing, Inc. who was the low bidder from April 27, 2023 (bid date) with the amount of \$74,500.

10. Retrofit Circuit Breaker Bid Award
Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak, Braman and Buncy voting yes, none opposed to award the bid to the low bidder of the electric department retrofit circuit breakers bid from April 6, 2023 to ABB in the amount of \$288,260 for items #1, 2, 4, 5 and 6 (lifting device only) per recommendation letter.

11. 2023 Ford Interceptor
Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy, Braman and Padasak voting yes, none opposed to approve the purchase of a 2023 Ford Interceptor, for the police department, from McCandles Ford in Mercer, PA at the price of \$43,360. There will be no trade in as the fire department will be taking the 2018 Ford Interceptor VIN ending in 48367. The vehicle will be available in the summer of 2023. Two quotes were received and McCandles is the lower price.

12. 2018 Ford Interceptor
Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak, Buncy and Skelton voting yes, none opposed to approve the Springville Volunteer Fire Dept. receiving the 2018 Ford Interceptor to be used as the Fire Chief vehicle. The \$12,000 trade value will be paid through the fire department budget.

13. Heritage Park Bike Rack
Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak, Buncy and Skelton voting yes, none opposed to authorizing Go Bike to install a bike rack in the skate park in Heritage Park on the concrete at the location selected by the Superintendent of Public Works.

Administrator Melock updated the Board on the following;

- Village tax bills will be mailed to owner on record on May 31st. The bills are due July 1st without penalty.
- Free Summer Concerts start June 29th and a flyer is on the Village Web page and Facebook and was sent out in the utility bills.
- 96-gal garbage Tote delivery is scheduled for May 30-June 2, 2023. Property owner 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 except tax

DRAFT

May 1, 2023

Page (4)

exemption properties. List is on the village web site. Call Village office with any questions 716-592-4936 X1467. Flyer was sent out in April invoices.

SUPERINTENDENT REPORT

14. Water Division Truck Bid Ad Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to advertising and sending out bid packets for a new/unused pickup truck with utility box and plow. This is for the water department and is on the next year budget (23/24).
15. Summer New Hire Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to hiring Nick Brown for summer help at a rate of \$15.50/hr.
16. New Hire Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to hiring Norman Blumenstein, 8910 Cattaraugus St., Springville, for the vacant Laborer/Equipment Operator. There is a 6-month probation at \$21.00/hr. increasing to the union contract upon successful completion of the probation period. Start date will be May 16, 2023.

POLICE DEPARTMENT

Officer in Charge Budney reported on the following;

- April 2023 SPD report
- April 2023 ECSO report
- Although Greg Stowell who addressed the Mayor and Board regarding school safety has already left OIC Budney wanted to let him know that since 2016 a SPD Officer walks the halls of SGI High School daily. While not required of the department is done daily.

FIRE DEPARTMENT

The fire report was read by Administrator Melock this evening outlining;

- Calls
- Training
- Activity

BUILDING INSPECTOR/CODE ENFORCEMENT

BI/CEO Kaleta had no report this evening.

CONTROL CENTER

The Control Center report for April 2023 was read by Trustee Braman this evening.

NEW BUSINESS

There was no New Business this evening.

DRAFT

May 1, 2023

Page (5)

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 #318 through #331, total of \$532,774.77 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, Braman and Buncy voting yes, none opposed to accepting the permits and applications attached.

PROJECT: 0000010165 - DRIVEWAY
PROPERTY: 194 WAVERLY ST
ISSUED DATE: 4/12/2023
ISSUED TO: MCKEEVER, DAVID
194 WAVERLY ST
SPRINGVILLE, NY 14141
TYPE: DRIVEWAY

PROJECT: 0000010166 - VIOLATION-VEHICLES
PROPERTY: 432 FRANKLIN ST
ISSUED DATE: 4/13/2023
ISSUED TO: SCHINDLER, MELISSA
432 FRANKLIN ST
SPRINGVILLE, NY 14141
TYPE: VIOLATION

PROJECT: 0000010167 - UTILITY CHANGES
PROPERTY: 37 N BUFFALO ST
ISSUED DATE: 4/12/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141
TYPE: UTILITY CHANGES

PROJECT: 0000010168 - EVENT
PROPERTY: 37 N BUFFALO ST
ISSUED DATE: 4/17/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
37 N BUFFALO ST
PO BOX 62
SPRINGVILLE, NY 14141
TYPE: EVENT

PROJECT: 0000010169 - DRIVEWAY
PROPERTY: 7 CHURCH ST
ISSUED DATE: 4/17/2023
ISSUED TO: HALLETT, ELAINE
6688 CROSS ROAD
SPRINGVILLE, NY 14141
TYPE: DRIVEWAY

DRAFT

May 1, 2023

Page (6)

PROJECT: 0000010170 - SHEDS, UP TO 144 SQ.FT. TYPE: SHEDS
PROPERTY: 83 ELK ST
ISSUED DATE: 4/18/2023
ISSUED TO: KOPP, GEARY
83 ELK ST
SPRINGVILLE, NY 14141

PROJECT: 0000010171 - UTILITY CHANGES PLUMBING TYPE: UTILITY
PROPERTY: 270 S CASCADE DR CHANGES
ISSUED DATE: 4/18/2023
ISSUED TO: MICROTEL (INDUS HOSPITALITY)
1170 PITTSFORD-VICTOR RD.
SUITE 230
PITTSFORD, NY 14534

PROJECT: 0000010172 - RESIDENTIAL DEMO TYPE: RESIDENTIAL
PROPERTY: 231 E MAIN ST DEMO
ISSUED DATE: 4/19/2023
ISSUED TO: SMITH, DARYL
231 E MAIN ST
SPRINGVILLE, NY 14141

PROJECT: 0000010173 - FENCES TYPE: FENCES
PROPERTY: 60 ALBRO AVE
ISSUED DATE: 4/19/2023
ISSUED TO: VERGIEN, JANELLE
60 ALBRO AVE
SPRINGVILLE, NY 14141

PROJECT: 0000010174 - ELECTRIC GENERATER TYPE: GENERATER
PROPERTY: 39 PINWOOD DR
ISSUED DATE: 0/00/0000
ISSUED TO: PERKINS, REVERE D
39 PINWOOD DR.
SPRINGVILLE, NY 14141

PROJECT: 0000010175 - FENCES TYPE: FENCES
PROPERTY: 135 WAVERLY ST
ISSUED DATE: 4/20/2023
ISSUED TO: MCFALL, PATRICK
135 WAVERLY ST.
SPRINGVILLE, NY 14141

PROJECT: 0000010176 - PLANNING BOARD REVIEW TYPE: PLANNING
PROPERTY: CLARK ST GAR BOARD REVIEW
ISSUED DATE: 4/21/2023
ISSUED TO: MYERS, RICHARD
4763 FELTON HILL ROAD
WEST VALLEY, NY 14171

DRAFT

May 1, 2023

Page (7)

PROJECT: 0000010177 - PLANNING BOARD REVIEW PROPERTY: 180 ZOAR RD ISSUED DATE: 4/21/2023 ISSUED TO: HORSCHER BROS PRECISION LLC 180 ZOAR VALLEY ROAD SPRINGVILLE, NY 14141	TYPE: PLANNING BOARD REVIEW
PROJECT: 0000010178 - DECKS PROPERTY: 26 EATON ST ISSUED DATE: 4/21/2023 ISSUED TO: STACHOWSKI, JAMES JR. 26 EATON ST SPRINGVILLE, NY 14141	TYPE: DECKS
PROJECT: 0000010179 - ACCESSORY BUILDING PROPERTY: 76 RAUCH DR ISSUED DATE: 4/24/2023 ISSUED TO: SCHAMBACH, KODY 76 RAUCH DRIVE SPRINGVILLE, NY 14141	TYPE: ACCESSORY BUILDINGS
PROJECT: 0000010180 - LICENSES-FOOD TRUCK PROPERTY: 127 MAPLE AVE ISSUED DATE: 5/01/2023 ISSUED TO: JAKE AND THE FATMAN BBQ 127 MAPLE AVE SPRINGVILLE, NY 14141	TYPE: LICENSES
PROJECT: 0000010181 - LICENSES-CURBSIDE PICKUP PROPERTY: 71 NASON BLVD ISSUED DATE: 5/01/2023 ISSUED TO: MRC DISPOSAL, INC. 71 NASON BLVD SPRINGVILLE, NY 14141	TYPE: LICENSES
PROJECT: 0000010182 - LICENSES-CURBSIDE PICKUP PROPERTY: 5 W MAIN ST VO ISSUED DATE: 5/01/2023 ISSUED TO: COMMUNITY DISPOSAL SERVICES 11081 GALEN HILL ROAD FREEDOM, NY 14065	TYPE: LICENSES
PROJECT: 0000010183 - UTILITY CHANGES-SEWER PROPERTY: 80 ELLIS AVE ISSUED DATE: 4/25/2023 ISSUED TO: ZUECHS ENVIRONMENTAL SRVC PO BOX 108 FRANKLINVILLE, NY 14737	TYPE: PLUMBING

DRAFT

May 1, 2023

Page (8)

PROJECT: 0000010184 - NONRES STRUCTURAL
PROPERTY: 227 W MAIN ST
ISSUED DATE: 4/26/2023
ISSUED TO: RETZLAFF, MATTHEW
227 W MAIN ST
SPRINGVILLE, NY 14141

TYPE: NONRES
STRUCTURAL

PROJECT: 0000010185 - FENCES
PROPERTY: 84 W EDGEWOOD DR
ISSUED DATE: 4/26/2023
ISSUED TO: FINELINE CONSTRUCTION
9230 NORTH STREET
LOT #10
SPRINGVILLE, NY 14141

TYPE: FENCES

VILLAGE ATTORNEY NOTES

There was no Attorney's report this evening

TRUSTEE NOTES

Trustee Braman discussed the following;

- Earth Day event went well
- Community Board meetings regarding school safety
- BI/CEO retirement
 - overlap of Mike and his replacement?
 - no
 - Mike retained on a consulting basis
 - no

Trustee Padasak discussed an Earth Day she participated in.

Trustee Buncy discussed the change in the Town of Concord Hulbert Library hours.
Trustee Buncy also reminded of the Spring into Springville business event on 5/6 from 12-4 in the Downtown Business District.

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.

17. 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 7:50 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

§ 200-2 **Word usage; definitions.**

B. Definition of words and terms. As used in this chapter, the following terms shall have the meanings indicated:

LOT AREA

The total horizontal area included within lot lines.

LOT, CORNER

A lot at the junction of and fronting on two or more intersecting streets.

LOT COVERAGE

The percentage of the horizontal area of the lot covered by a building or buildings, measured to the outside of the wall.

LOT FRONTAGE

The portion of a lot which runs along the street or streets which border the lot. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards.

LOT, INTERIOR

Any lot other than a corner lot.

LOT LINE

Any boundary of a lot. Any "lot line" not a rear lot line nor a front lot line shall be deemed a side lot line.

LOT LINE, FRONT *CURRENT*

The street right-of-way line at the front of a lot. On a corner lot, the owner may specify the "front lot line" on the plot plan.

LOT LINE, REAR

The lot line opposite the front lot line.

LOT, THROUGH

A lot extending from one street to another.

LOT WIDTH

The horizontal dimension measured from side lot line to side lot line along a line parallel to the street line at the required minimum front yard depth.

YARD, FRONT

A yard extending between the side lot lines and situated between the street line and the front line of the principal building or use projected to the side lines of the lot.

YARD, REAR *CURRENT*

A yard extending between the side lot lines and situated between the rear lot line and the rear line of the principal building or use projected to the side lot lines.

YARD, SIDE *CURRENT*

A yard extended between the front yard and rear yard and situated between the side lot line and the adjacent side line of the principal building.

YARD, TRANSITIONAL

A side or rear yard of a property in a nonresidence district that abuts a property in a residence district

New **LOT LINE, FRONT** *NEW*

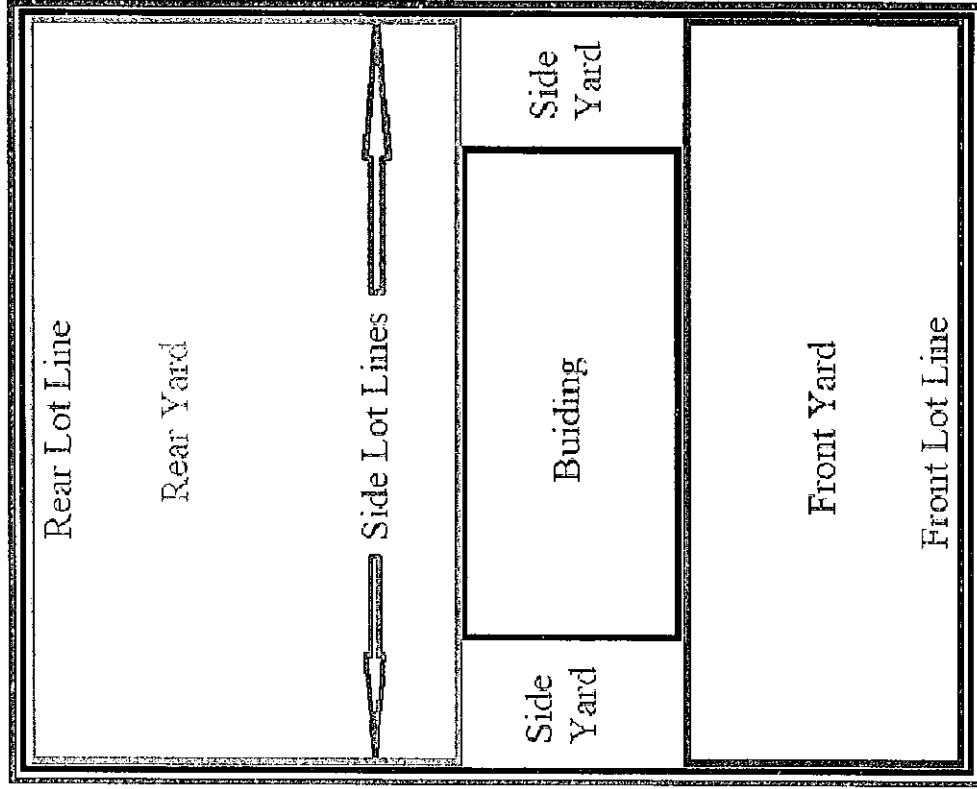
In the case of a lot abutting upon only one street, the line separating such lot from such street. In the case of a lot that abuts more than one street, each street line shall be considered to be a front lot line.

Add language to rear yard and side yard. *NEW*

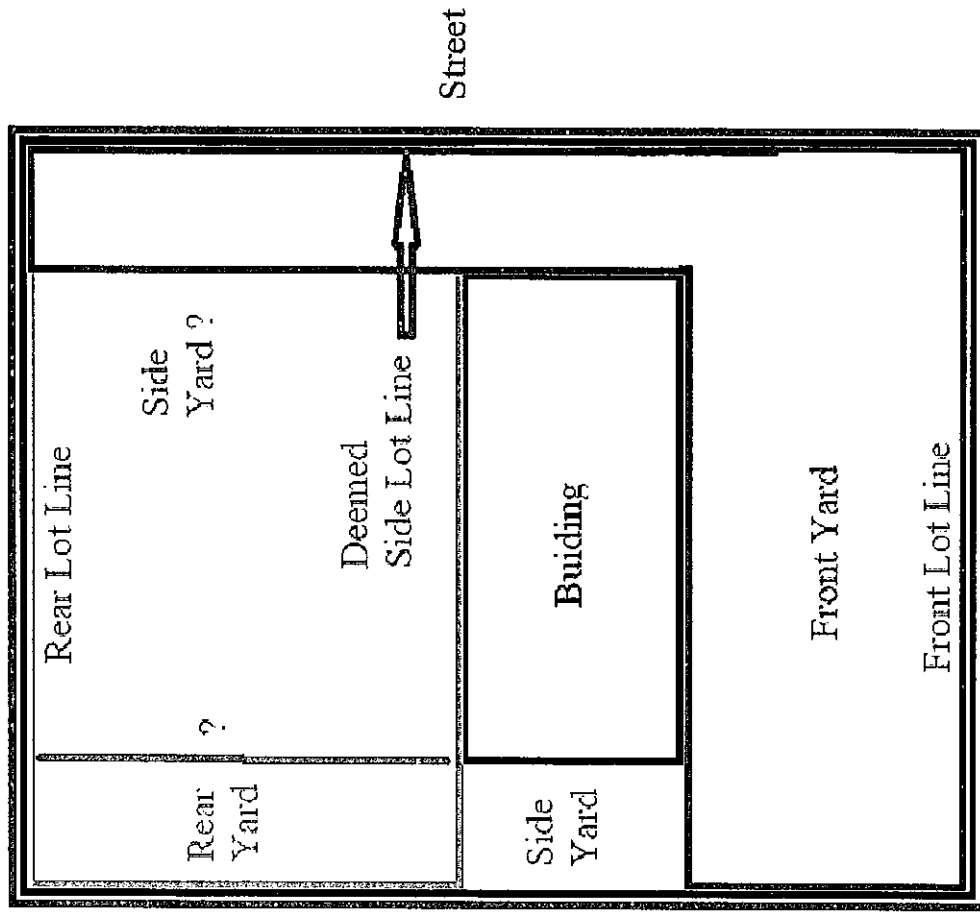
On a corner lot the side yard will line up with the adjoining lot side yards.

On a corner lot the rear yard will line up with the adjoining lot rear yards.

Interior Lot



Corner Lot



LOT FRONTAGE

The portion of a lot which runs along the street or streets which border the lot. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards.

ATTACHMENT NO. A.3

Administrator's report

AGENDA DATE 5/15/2023 May 15, 2023

Resolutions:

1. Declare Village of Springville Lead Agency Local Law 5 of 2023 -- Chapter 200 Section 2 Definition changes to Lot line, front.
2. SEQR/Neg Declaration Local Law 5 of 2023 Chapter 200 Section 2 Definition changes to Lot line, front. See attached.
3. Adopt/Table Local Law 5 of 2023 Chapter 200 Section 2 Definition changes to Lot line, front. See attached.
4. Amend 23-24 Tax Warrant for unpaid emergency demolition costs for the fire at 198 Maple Ave. See updated tax warrant attached.
5. Authorize Mayor to sign DEC Consent Order Amendment No. 2 Case R9-20200415-28. This modification allows the construction & commencement date of operations to be extended to Nov 15, 2023. See attached.
6. Approve new desk phones, install and router for the Village Offices to Vaspian at the cost of \$6,900.
7. Approve Budget Modifications for the 22-23 Budget. See attached.
8. Modify Employee Handbook - Insurance Coverage page 46 – add “Employees shall be entitled to one health insurance policy if both husband and wife are employed by the Village. There shall be no buyout of health/dental insurance allowed if one spouse takes the insurance and the other is not eligible.” Replace existing Sexual Harassment Policy with new NYS Model policy. See attached Sexual Harassment Policy.
9. Approve SEIU Local 200 United union contract for public work employees in the Village.

Discussions:

1. Financial reports (Treasurer's Report) – Balance Sheets, Rev & Exp Summaries have been submitted to the village board for April 2023.
2. Village tax bills will be mailed to the owner on record on May 31st and are due by July 3rd without penalty. Village offices are closed July 4th.
3. Free Thursday Night Summer Concerts will begin June 29th with Springville Jazz Orchestra as the first band. Concerts are from 6:30-8:30 pm at Heritage Park and Kiwanis will be selling hot dogs and snacks.
4. 96-gal garbage Tote delivery is scheduled for May 30-June 2, 2023. One time charge of \$64 is on the village tax bill. Tax roll is on the village web page. If there is no tote being charged then no tote will be delivered. **Starting on June 6th only village totes will be picked up by Waste Management (the 6th is garbage and recycling).**

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Village of Springville Local Law			
Name of Action or Project: Local Law 5 of 2023 - Modifications to Chapter 200 Zoning section 2 Definitions Lot Line, Front			
Project Location (describe, and attach a location map): Entire Village			
Brief Description of Proposed Action: Remove existing Lot Line, Front definition and replace with "in the case of a lot abutting upon only one street, the line separating such lot from such street. In the case of a lot that abuts more than one street, each street line shall be considered to be a front lot line." Add language to rear yard and side yard as follows "On a corner lot the side yard will line up with the adjoining lot side yards. On a corner lot the rear yard will line up with the adjoining lot rear yards."			
Name of Applicant or Sponsor: Village of Sprigville		Telephone: 716-592-4936 E-Mail: tmichaels@villageofspringvilleny.com	
Address: 5 W. Main St PO Box 17			
City/PO: Springville		State: NY	Zip Code: 14141
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

Project: LL5 of 2023 Chapter 200 Definitions

Date: 05-10-23

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

This Local Law is to replace the definition of Lot Line, front and add clarification language to rear yard and side yard as it pertains to a corner lot. There is no adverse environmental impact due to this local law.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Village of Springville <hr/> Name of Lead Agency	May 10, 2023 <hr/> Date
Timothy P. Michaels <hr/> Print or Type Name of Responsible Officer in Lead Agency	Mayor <hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

PRINT FORM

§ 200-2 **Word usage; definitions.**

B. Definition of words and terms. As used in this chapter, the following terms shall have the meanings indicated:

LOT AREA

The total horizontal area included within lot lines.

LOT, CORNER

A lot at the junction of and fronting on two or more intersecting streets.

LOT COVERAGE

The percentage of the horizontal area of the lot covered by a building or buildings, measured to the outside of the wall.

LOT FRONTAGE

The portion of a lot which runs along the street or streets which border the lot. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards.

LOT, INTERIOR

Any lot other than a corner lot.

LOT LINE

Any boundary of a lot. Any "lot line" not a rear lot line nor a front lot line shall be deemed a side lot line.

LOT LINE, FRONT

The street right-of-way line at the front of a lot. On a corner lot, the owner may specify the "front lot line" on the plot plan.

LOT LINE, REAR

The lot line opposite the front lot line.

LOT, THROUGH

A lot extending from one street to another.

LOT WIDTH

The horizontal dimension measured from side lot line to side lot line along a line parallel to the street line at the required minimum front yard depth.

YARD, FRONT

A yard extending between the side lot lines and situated between the street line and the front line of the principal building or use projected to the side lines of the lot.

YARD, REAR

A yard extending between the side lot lines and situated between the rear lot line and the rear line of the principal building or use projected to the side lot lines.

YARD, SIDE

A yard extended between the front yard and rear yard and situated between the side lot line and the adjacent side line of the principal building.

YARD, TRANSITIONAL

A side or rear yard of a property in a nonresidence district that abuts a property in a residence district

New **LOT LINE, FRONT**

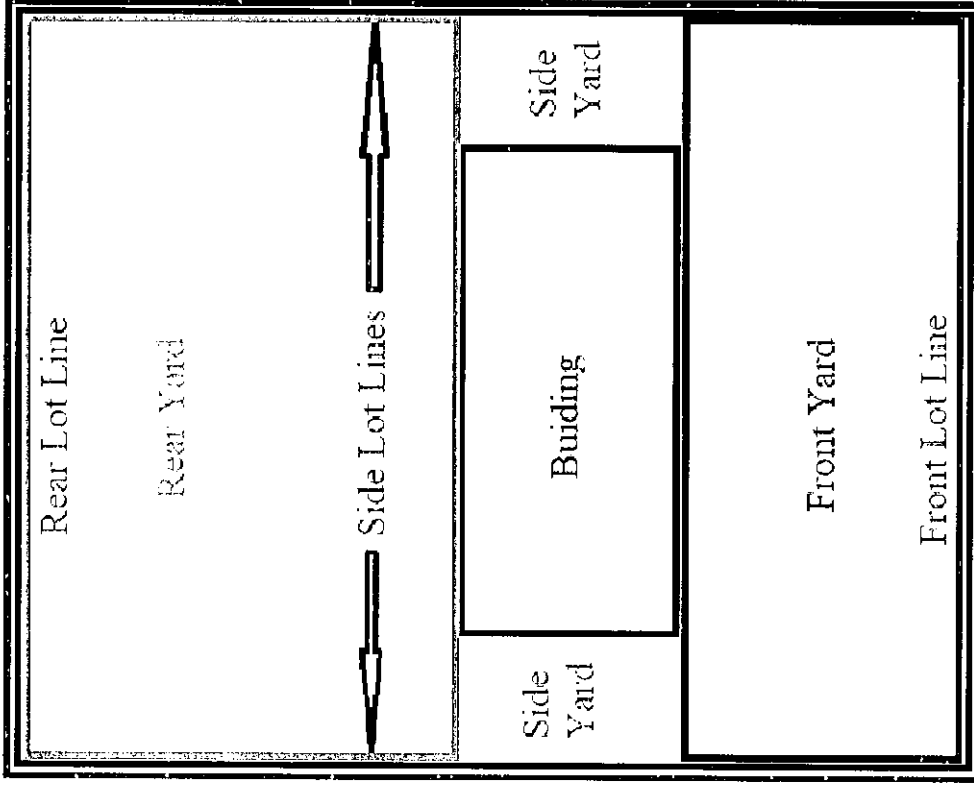
In the case of a lot abutting upon only one street, the line separating such lot from such street. In the case of a lot that abuts more than one street, each street line shall be considered to be a front lot line.

Add language to rear yard and side yard.

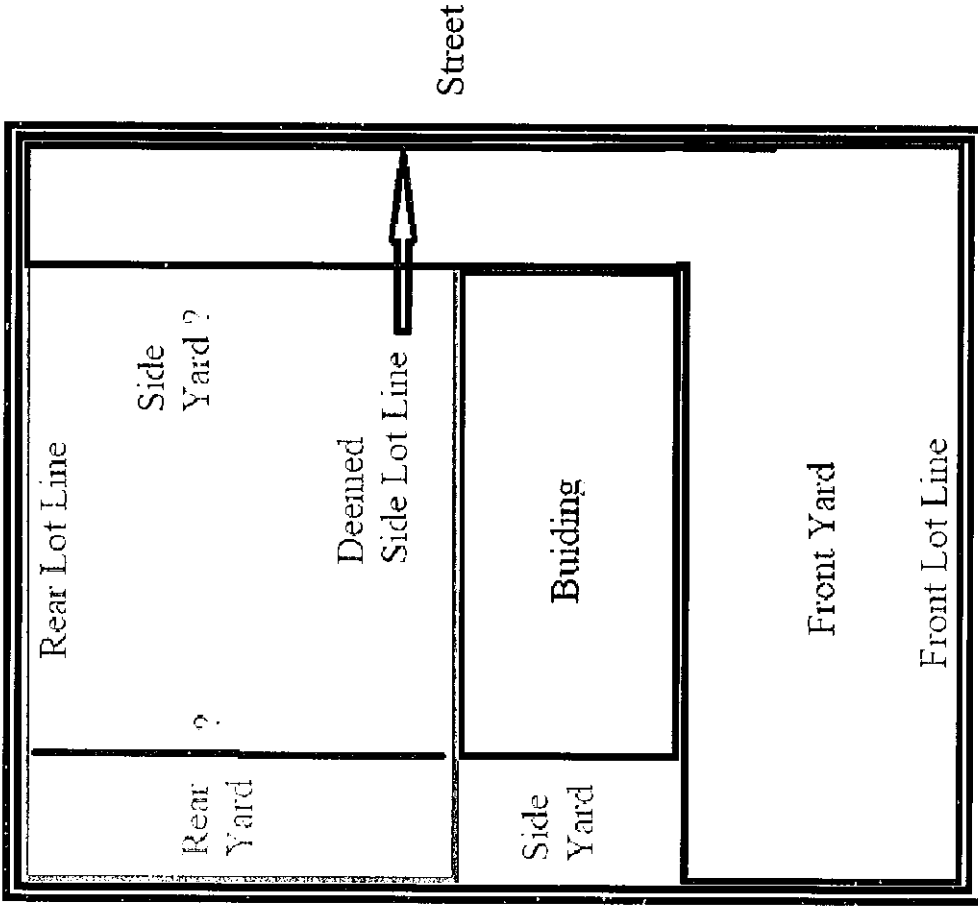
On a corner lot the side yard will line up with the adjoining lot side yards.

On a corner lot the rear yard will line up with the adjoining lot rear yards.

Interior Lot



Corner Lot



Street

Street

LOT FRONTAGE

The portion of a lot which runs along the street or streets which border the lot. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards.

AMENDED

LEGAL NOTICE
TAX WARRANT 23-24
VILLAGE OF SPRINGVILLE

You are hereby commanded to receive and collect from the several persons named in the Tax Roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total \$2,254,670 for the following purpose:

For the current Budget \$2,042,274
For the Releived Water/Sewer Charges \$106,895
For the Releived Taxes/Exempt \$9956
For the Releived Accounts Receivable \$1,401
Total Taxes Receivable \$ 2,254.670

Special District 38200 – Garbage totes \$94,144

You are further commanded to receive and collect such sums without additional charge between the first day of June and the first day of July 2023 both inclusive; and thereafter to collect with such of the sums as have not been therefore collected and additional charge of seven and one-half per centum for the first month or fraction thereof, and one and one-half per centum for each month or fraction thereof until paid.

You are further commanded to file the tax roll and warrant in your office on or before the thirty-first day of October, 2023 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

Timothy P. Michaels, Mayor

Date May 1, 2023

Attest: _____
Liz Melock
Administrator/Clerk/Treasurer

New York State Department of Environmental Conservation

In the Matter of Violations of Article 17 of the Environmental Conservation Law and Part 750, et seq., of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York and SPDES Permit No. NY0021474

By: Village of Springville
5 West Main Street
Springville, New York 14141

Consent Order
Amendment No.2
Case No. R9-20200415-28

Respondent.

WHEREAS:

1. The Department and Respondent entered into Order on Consent R9-20200415-28 (the "Order") on November 16, 2020; and
2. On November 5, 2021, the parties agreed to amend Schedule A of the Order (Amendment No.1) to allow additional time for Respondent to construct the required plant upgrades; and
3. Respondent has requested, and the Department has agreed, to allow additional time for Respondent to complete plant upgrades; and
4. Respondent acknowledges that except for Schedule A as amended (Amendment No.2) the terms of the Order, including the effective date of the Order, remain unchanged and continue in full force and effect; and
5. Respondent acknowledges that the person signing this document has the authority to bind Respondent to the terms of the Amendment; and
6. Once fully executed the terms of this Amendment shall be incorporated into and become an enforceable part of the Order; and
7. By signing this document, Respondent consents to the issuing and entering of Schedule A, Amendment No.2, waives the right to a hearing as provided by law, and agrees to be bound by the provisions, terms and conditions contained herein.

DATED: Buffalo, New York

_____, 2023

Basil Seggos
Commissioner,
New York State Department of
Environmental Conservation

By: _____
Julie Barrett-O'Neill
Regional Director

SCHEDULE A
Amendment No.2
Village of Springville CASE NO. R9-20200415-28

<p>1. PLANS AND SPECIFICATIONS</p> <p>Submit approvable plans and specifications, along with an approvable schedule for construction, prepared by a New York State licensed professional engineer, for plant upgrades to achieve compliance with SPDES effluent limits.</p> <p>2. CONSTRUCTION</p> <p>a. Begin construction of the approved plant upgrades in accordance with the approved schedule.</p> <p>b. Complete construction of plant upgrades; commence operation of the system; and comply with all effluent limitations.</p> <p>c. Submit As-built drawings of the plant improvements.</p> <p>3. PROGRESS REPORTS</p> <p>Submit a progress report summarizing the status of all Order and permit related items, with a description of actual or potential delays, and the measures taken to resolve any issues or potential delays.</p>	<p>Within 6 months after the Effective Date of Order Completed</p> <p>Within 14 months after the Effective Date of Order Completed</p> <p>Within 3 years after the Effective Date of Order</p> <p>Within 3 years and 6 months after the Effective Date of Order</p> <p>Every 6 months after the Effective Date of Order</p>
---	--

Amount	From Account	To Account
General Fund		
\$ 2,710.00	1130-0100	1130-0400
\$ 742.00	1325-0200	1325-0400
\$ 12.00	1325-0200	1355-0400
\$ 326.00	1490-0410	1490-0420
\$ 841.00	1490-0440	1490-0100
\$ 2,904.00	1620-0200	1620-0400
\$ 1,301.00	3410-0210	3410-0460
\$ 27,500.00	5142-0120	5110-0100
\$ 436.00	5142-0120	5110-0120
\$ 13.00	5110-0410	5110-0410
\$ 346.00	7110-0440	7110-0410
\$ 1,200.00	8170-0410	8170-0100
\$ 5,224.00	8510-0410	8510-0100
\$ 2,114.00	5142-0100	8540-0100
\$ 35,278.00	5142-0410	8540-0410
\$ 2,000.00	5650-0100	8540-0100
\$ 93.00	5650-0440	8540-0100
\$ 1,171.00	5650-0440	9050-0800

\$ 84,211.00 Total GF

Water Fund

\$ 524.00	8320-0121	8320-0101
\$ 1,764.00	8320-0441	8320-0411
\$ 946.00	8330-0461	8330-0411
\$ 209.00	8330-0461	8330-0441
\$ 571.00	8330-0121	8330-0421
\$ 11,397.00	8340-0111	8340-0101
\$ 1,084.00	8340-0121	8340-0101

\$ 16,495.00 Total WF

Sewer Fund

\$ 3,838.00	8120-0121	8120-0101
\$ 391.00	8120-0461	8120-0441
\$ 6,600.00	8130-0111	8130-0205
\$ 6,000.00	8130-0421	8130-0261
\$ 10,794.00	8130-0101	8130-0261
\$ 86,103.00	9730-0700-003	9710-0700-003
\$ 2,384.00	9040-0800-003	9710-0700-003
\$ 17,000.00	8110-0441	9710-0700-003
\$ 8,993.00	1910-0400-003	9710-0700-003
\$ 4,500.00	8120-0261	9710-0700-003

\$ 146,603.00 Total SF

BUDGET ADJUSTMENT REGISTER

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000283							
001 5-1130-0100-001	5/15/2023	BOARD MEETING 05152	2,710.00-	61,724.00	800.00-	58,214.00	8,723.93
		JUDICIAL - WAGES					
001 5-1130-0400-001	5/15/2023	BOARD MEETING 05152	2,710.00	12,425.00	800.00	15,935.00	955.98
		JUDICIAL - CONT. EXPENSE					
001 5-1325-0200-001	5/15/2023	BOARD MEETING 05152	742.00-	5,000.00	1,893.00-	2,353.00	2,353.00
		CLERK-TREAS EQUIPMENT					
001 5-1325-0400-001	5/15/2023	BOARD MEETING 05152	742.00	36,800.00	1,800.00	39,342.00	1,306.91
		CLERK-TREAS CONT. EXPENSE					
001 5-1325-0200-001	5/15/2023	BOARD MEETING 05152	12.00-	5,000.00	1,893.00-	2,353.00	2,353.00
		CLERK-TREAS EQUIPMENT					
001 5-1355-0400-001	5/15/2023	BOARD MEETING 05152	12.00	5,500.00	93.00	5,605.00	0.22
		ASSESSMENT CONT. EXPENSE					
001 5-1490-0410-001	5/15/2023	BOARD MEETING 05152	326.00-	3,500.00	1,115.00-	2,059.00	800.81
		PUB.WORKS ADMIN SUPPLIES & MAT					
001 5-1490-0420-001	5/15/2023	BOARD MEETING 05152	326.00	4,000.00	1,115.00	5,441.00	287.02
		PUB.WORKS ADMIN. UTILITIES					
001 5-1490-0440-001	5/15/2023	BOARD MEETING 05152	841.00-	2,000.00	0.00	1,159.00	406.25
		PUBLIC WKS CONTR SERVICES					
001 5-1490-0100-001	5/15/2023	BOARD MEETING 05152	841.00	39,621.00	0.00	40,462.00	0.86
		PUB. WORKS ADMIN. PER. SERV.					
001 5-1620-0200-001	5/15/2023	BOARD MEETING 05152	2,904.00-	25,000.00	15,360.00-	6,736.00	6,736.00
		BUILDINGS EQUIPMENT					
001 5-1620-0400-001	5/15/2023	BOARD MEETING 05152	2,904.00	35,000.00	15,360.00	53,264.00	1,840.29
		BUILDINGS CONTRACTUAL EXPENSE					
001 5-3410-0210-001	5/15/2023	BOARD MEETING 05152	1,301.00-	36,000.00	0.00	34,699.00	7,756.82
		FIRE FIGHTING EQUIPMENT					
001 5-3410-0460-001	5/15/2023	BOARD MEETING 05152	1,301.00	19,106.00	3,721.00	24,128.00	316.24
		FIRE MISCELLANEOUS					
001 5-5142-0120-001	5/15/2023	BOARD MEETING 05152	27,500.00-	40,000.00	200.00-	11,864.00	0.44
		OVERTIME					
001 5-5110-0100-001	5/15/2023	BOARD MEETING 05152	27,500.00	174,000.00	63,072.00	264,572.00	14,571.17
		STREET MAINT. PERSONAL SERVICE					
001 5-5142-0120-001	5/15/2023	BOARD MEETING 05152	436.00-	40,000.00	200.00-	11,864.00	0.44
		OVERTIME					

BUDGET ADJUSTMENT REGISTER

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
001 5-5110-0120-001	5/15/2023	BOARD MEETING 05152 OVERTIME	436.00	3,000.00	200.00	3,636.00	295.66
001 5-5110-0410-001	5/15/2023	BOARD MEETING 05152 STREETS SUPPLIES & MATERIALS	13.00-	84,500.00	1,577.00-	82,923.00	75,311.95
001 5-5110-0410-001	5/15/2023	BOARD MEETING 05152 STREETS SUPPLIES & MATERIALS	13.00	84,500.00	1,577.00-	82,923.00	75,311.95
001 5-7110-0440-001	5/15/2023	BOARD MEETING 05152 PARKS CONTRACTED SERVICES	346.00-	5,000.00	3,232.00-	1,422.00	1,536.12
001 5-7110-0410-001	5/15/2023	BOARD MEETING 05152 PARKS SUPPLIES & MATERIALS	346.00	25,000.00	8,700.00	34,046.00	4,713.66
001 5-8170-0410-001	5/15/2023	BOARD MEETING 05152 ST. CLEANING SUPPLIES & MAT.	1,200.00-	5,500.00	0.00	4,300.00	4,158.08
001 5-8170-0100-001	5/15/2023	BOARD MEETING 05152 STREET CLEANING PERSONAL SERV	1,200.00	4,400.00	1,400.00	7,000.00	381.94
001 5-8510-0410-001	5/15/2023	BOARD MEETING 05152 COMM.BEAUTIFICATION SUPP & MAT	5,224.00-	20,000.00	8,700.00-	6,076.00	6,081.32
001 5-8510-0100-001	5/15/2023	BOARD MEETING 05152 COMM.BEAUTIFICATION - PERS.SER	5,224.00	6,250.00	0.00	11,474.00	1.94
001 5-5142-0100-001	5/15/2023	BOARD MEETING 05152 SNOW REMOVAL PERSONAL SERV.	2,114.00-	57,261.00	30,000.00-	25,147.00	0.46
001 5-8540-0100-001	5/15/2023	BOARD MEETING 05152 DRAINAGE PERSONAL SERVICE	2,114.00	13,500.00	0.00	17,707.00	0.12
001 5-5142-0410-001	5/15/2023	BOARD MEETING 05152 SNOW REMOVAL SUPPLIES & MAT	35,278.00-	115,000.00	174.00-	79,548.00	1,405.95
001 5-8540-0410-001	5/15/2023	BOARD MEETING 05152 DRAINAGE SUPPLIES & MATERIALS	35,278.00	8,500.00	1,025.00-	42,753.00	770.20
001 5-5650-0100-001	5/15/2023	BOARD MEETING 05152 OFF ST. PARKING PERSONAL SERV.	2,000.00-	2,000.00	0.00	0.00	0.00
001 5-8540-0100-001	5/15/2023	BOARD MEETING 05152 DRAINAGE PERSONAL SERVICE	2,000.00	13,500.00	0.00	17,707.00	0.12
001 5-5650-0440-001	5/15/2023	BOARD MEETING 05152 OFF ST. PARKING CONT. SERVICE	93.00-	3,000.00	0.00	1,736.00	1,736.00
001 5-8540-0100-001	5/15/2023	BOARD MEETING 05152 DRAINAGE PERSONAL SERVICE	93.00	13,500.00	0.00	17,707.00	0.12

BUDGET ADJUSTMENT REGISTER

FUND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
101 5-5650-0440-001	5/15/2023	BOARD MEETING 05152	1,171.00-	3,000.00	0.00	1,736.00	1,736.00
		OFF ST. PARKING CONT. SERVICE					
101 5-9050-0800-001	5/15/2023	BOARD MEETING 05152	1,171.00	0.00	0.00	1,171.00	0.15
		EMPLOYEE BENEFITS					
102 5-8320-0121-001	5/15/2023	BOARD MEETING 05152	524.00-	1,000.00	0.00	476.00	68.12
		OVERTIME, COMMODITY					
102 5-8320-0101-001	5/15/2023	BOARD MEETING 05152	524.00	15,830.00	6,151.00	22,505.00	0.36
		SUPPLY SOURCE -REGULAR COMM.					
102 5-8320-0441-001	5/15/2023	BOARD MEETING 05152	1,764.00-	30,000.00	1,221.00-	27,015.00	15,198.07
		CONTRACTED SERVICES-COMMODITY					
102 5-8320-0411-001	5/15/2023	BOARD MEETING 05152	1,764.00	15,000.00	0.00	16,764.00	7,406.68
		SUPPLIES & MATERIAL COMMODITY					
102 5-8330-0461-001	5/15/2023	BOARD MEETING 05152	946.00-	1,500.00	0.00	345.00	145.00
		MISCELLANEOUS-COMMODITY					
102 5-8330-0411-001	5/15/2023	BOARD MEETING 05152	946.00	20,000.00	1,446.00	22,392.00	3,196.79
		SUPPLIES & MATERIAL, COMMODITY					
102 5-8330-0461-001	5/15/2023	BOARD MEETING 05152	209.00-	1,500.00	0.00	345.00	145.00
		MISCELLANEOUS-COMMODITY					
102 5-8330-0441-001	5/15/2023	BOARD MEETING 05152	209.00	20,000.00	10,071.00	30,280.00	300.59
		CONTRACTED SERVICES-COMMODITY					
102 5-8330-0121-001	5/15/2023	BOARD MEETING 05152	571.00-	5,000.00	0.00	4,429.00	3,348.33
		OVERTIME, COMMODITY					
102 5-8330-0421-001	5/15/2023	BOARD MEETING 05152	571.00	11,000.00	1,900.00	13,471.00	506.98
		UTILITIES-COMMODITY					
102 5-8340-0111-001	5/15/2023	BOARD MEETING 05152	11,397.00-	19,200.00	0.00	7,803.00	0.30
		TEMPORARY - COMMODITY					
102 5-8340-0101-001	5/15/2023	BOARD MEETING 05152	11,397.00	130,607.00	0.00	143,088.00	0.36
		SALARIES REGULAR-COMMODITY					
102 5-8340-0121-001	5/15/2023	BOARD MEETING 05152	1,084.00-	4,000.00	0.00	2,916.00	1,490.68
		OVERTIME, COMMODITY					
102 5-8340-0101-001	5/15/2023	BOARD MEETING 05152	1,084.00	130,607.00	0.00	143,088.00	0.36
		SALARIES REGULAR-COMMODITY					
103 5-8120-0121-001	5/15/2023	BOARD MEETING 05152	3,838.00-	6,000.00	594.00-	1,568.00	1,120.15
		OVERTIME, COMMODITY					

BUDGET ADJUSTMENT REGISTER

UND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
Budget Adj. # 000283							
03 5-8120-0101-001	5/15/2023	BOARD MEETING 05152	3,838.00	27,734.00	11,000.00	42,572.00	0.16
		SALARIES REGULAR, COMMODITY					
03 5-8120-0461-001	5/15/2023	BOARD MEETING 05152	391.00-	1,500.00	0.00	1,109.00	676.50
		MISCELLANEOUS-COMMODITY					
03 5-8120-0441-001	5/15/2023	BOARD MEETING 05152	391.00	33,000.00	787.00	34,178.00	406.28
		CONTRACTED SERVICES-COMMODITY					
03 5-8130-0111-001	5/15/2023	BOARD MEETING 05152	6,600.00-	8,000.00	0.00	1,400.00	1,400.00
		TEMPORARY - COMMODITY					
03 5-8130-0205-001	5/15/2023	BOARD MEETING 05152	6,600.00	0.00	0.00	6,600.00	0.00
		ROOF -DIGESTER BLDG					
03 5-8130-0421-001	5/15/2023	BOARD MEETING 05152	6,000.00-	49,000.00	0.00	43,000.00	8,653.73
		UTILITIES--COMMODITY					
03 5-8130-0261-001	5/15/2023	BOARD MEETING 05152	6,000.00	6,000.00	21,882.00	44,676.00	0.72
		SYSTEM EQUIPMENT-VILLAGE					
03 5-8130-0101-001	5/15/2023	BOARD MEETING 05152	10,794.00-	191,935.00	32,882.00-	148,259.00	8,065.28
		SALARIES REGULAR COMMODITY					
03 5-8130-0261-001	5/15/2023	BOARD MEETING 05152	10,794.00	6,000.00	21,882.00	44,676.00	0.72
		SYSTEM EQUIPMENT-VILLAGE					
03 5-9730-0700-003	5/15/2023	BOARD MEETING 05152	86,103.00-	124,251.00	0.00	38,148.00	0.07
		BAN - INTEREST					
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	86,103.00	70,388.00	0.00	189,368.00	22,485.33-
		SERIAL BONDS - INTEREST					
03 5-9040-0800-003	5/15/2023	BOARD MEETING 05152	2,384.00-	9,100.00	0.00	6,716.00	0.93
		WORKMEN'S COMPENSATION					
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	2,384.00	70,388.00	0.00	189,368.00	22,485.33-
		SERIAL BONDS - INTEREST					
03 5-8110-0441-001	5/15/2023	BOARD MEETING 05152	17,000.00-	37,500.00	0.00	20,500.00	1,338.57
		SEWER ADMIN. CONT. SERVICES					
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	17,000.00	70,388.00	0.00	189,368.00	22,485.33-
		SERIAL BONDS - INTEREST					
03 5-1910-0400-003	5/15/2023	BOARD MEETING 05152	8,993.00-	28,500.00	0.00	19,507.00	42.75
		UNALLOCATED INSURANCE					
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	8,993.00	70,388.00	0.00	189,368.00	22,485.33-
		SERIAL BONDS - INTEREST					

FUND ACCOUNT DATE DESCRIPTION ADJUSTMENT ORIGINAL BUDGET PREVIOUS ADJUSTMENTS NEW BUDGET BUDGET BALANCE
 Budget Adj. # 000283 -----

003 5-8120-0261-001 5/15/2023 BOARD MEETING 05152 4,500.00- 4,500.00 0.00 0.00 0.00

SYSTEM EQUIPMENT-VILLAGE
 003 5-9710-0700-003 5/15/2023 BOARD MEETING 05152 4,500.00 70,388.00 0.00 189,368.00 22,485.33-

TOTAL IN PACKET-- 0.00

*** BUDGET DEFICIT WARNINGS ***

FUND ACCOUNT NAME BALANCE

003 5-9710-0700-003 SERIAL BONDS - INTEREST 22,485.33-

TOTAL WARNINGS: 1

*** NO ERRORS ***

*** END OF REPORT ***

Purpose and Goals

Village of Springville is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but *Village of Springville* recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, department heads, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of Village of Springville's commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with Village of Springville. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy:

1. Village of Springville's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with Village of Springville. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.

2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of Village of Springville who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, department head, or the Village Administrator. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject Village of Springville to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including department heads and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. Village of Springville will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. Village of Springville will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, Village of Springville will act as required. In addition to any required discipline, Village of Springville will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including department heads and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Supervisors and department head are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Village Administrator.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of Village of Springville's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or

- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.

- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and department heads have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, department head or Village Administrator. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, department head, or Village Administrator.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors and department heads have a responsibility to prevent sexual harassment and discrimination. All supervisors and department heads who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the Village Administrator. Department heads and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and department heads can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and department heads can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and department heads will also be subject to discipline for engaging in any retaliation.

While supervisors and department heads have a responsibility to report harassment and discrimination, supervisors and department heads must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and department heads must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Village of Springville will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

Village of Springville recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, Village Administrator]:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, Village Administrator will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. Village Administrator will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;

4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by Village of Springville but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Village of Springville does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For

example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Conclusion

The policy outlined above is aimed at providing employees at Village of Springville and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

VILLAGE OF SPRINGVILLE
DEPARTMENT OF PUBLIC WORKS
Duane Boberg
Superintendent of Public Works
Superintendent Report for May 15, 2023

ATTACHMENT NO.

A4

AGENDA DATE

5/15/23

Resolution: Purchase a 2023 Chevy Colorado 4 door 4x4 from Jim Murphy Chevy Inc. Purchase price \$17,430 after trade in. This is using the Best Value Bid. This vehicle will be available early June. It is already in route to Murphy's. Other dealers could not get this truck or (comparable).

Resolution: to hire (for summer employment)

Returning employee: Adam Ditchey Starting pay \$15.50/hr.

Placed the order for a, 2024 Freightliner 1080SD Plus, from Fleet Maintenance Inc. of West Seneca for a cost of \$223,581.00. We are using a piggyback contract for this purchase.

I would like the Board's input on removing the bump out at Franklin and N Buffalo St. We are repaving Franklin St from N Buffalo to Main St. and as you can see from the pictures the Semi-trucks that go down the street constantly run over the mulch and plants that are there. If we take it out it will improve the way we plow that part of the street and make it easier for the cars and trucks to get in and out of the street.

I would also like the Boards thoughts on the situation with the creek at Heritage Park .







LT. NICHOLAS K. BUDNEY
OFFICER IN CHARGE



ATTACHMENT NO. A5
AGENDA DATE 5/15/23

SPRINGVILLE POLICE DEPARTMENT

May 15, 2023

Resolution to Appoint Bradford Ballantyne to the vacant position of patrolman (part-time) effective May 30, 2023.

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

nbudney@villageofspringvilleny.com

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

VILLAGE OF SPRINGVILLE
May 15, 2023
Page 1
PERMITS AND APPLICATIONS

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

Minutes of the Planning Board meeting on April 25, 2023. **CA.1**

Minutes of the Historic Preservation Commission on May 8, 2023. **CA.2**

PROJECT: 0000010186 - HISTORIC PRESSERVATION
PROPERTY: 46 E MAIN ST
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141
TYPE: HISTORIC PRESERV
REVIEW

PROJECT: 0000010187 - HISTORIC PRESSERVATION
PROPERTY: 69 E MAIN ST
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141
TYPE: HISTORIC PRESERV
REVIEW

PROJECT: 0000010188 - HISTORIC PRESSERVATION
PROPERTY: 57 W MAIN ST
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141
TYPE: HISTORIC PRESERV
REVIEW

PROJECT: 0000010189 - HISTORIC PRESSERVATION
PROPERTY: 26 FRANKLIN ST
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141
TYPE: HISTORIC PRESERV
REVIEW

PROJECT: 0000010190 - HISTORIC PRESSERVATION
PROPERTY: 37 N BUFFALO ST
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141
TYPE: HISTORIC PRESERV
REVIEW

PROJECT: 0000010191 - HISTORIC PRESSERVATION
PROPERTY: 37 N BUFFALO ST
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
PO BOX 62
SPRINGVILLE, NY 14141
TYPE: HISTORIC PRESERV
REVIEW

VILLAGE OF SPRINGVILLE
May 15, 2023
Page 2
PERMITS AND APPLICATIONS

PROJECT: 0000010192 - SIGNS
PROPERTY: 564 W MAIN ST
ISSUED DATE: 5/03/2023
ISSUED TO: FLEXLUME SIGN CORP
1464 MAIN ST
PO BOX 804
BUFFALO, NY 14209-0000

TYPE: SIGNS

**VILLAGE OF SPRINGVILLE
PLANNING BOARD MINUTES**

April 25, 2023

7:00 P.M.

A meeting of the Planning Board of the Village of Springville was held at the Village Municipal Building, 65 Franklin Street, Springville, New York at the above date and time. Present were:

Chairman:	Bob Muhlbauer
Members:	Ed Young Greg Keyser Devin Kowalske
Building Inspector/ CEO:	Mike Kaleta
Clerk:	Kellie Grube
Also Present:	Terry Skelton, Trustee Matt Retzlaff Valerie Retzlaff Richard Myers

After the Pledge to Allegiance, Chairman Muhlbauer called the meeting to order at 7:03pm.

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

Application #10141, for Matt and Valerie Retzlaff, for Site Plan approval located at 227 West Main Street, Springville, NY, SBL 335.15-8-19.2.

Chairman Muhlbauer asked Mr. and Mrs. Retzlaff to come up to discuss their Site Plan approval request. Last month Mr. and Mrs. Retzlaff had spoken to the Planning Board regarding their intentions. Nothing has changed regarding their Site Plan. The Retzlaff's would like to build a 30' x 40' pole barn with an additional 12' x 40' lean-to. The structure will sit at least 10' from the Railroad property lines. A garage door will be placed both in the front and on the side facing the Rails to Trails nature trail where trail enthusiasts will be able to see Matt's art process in real time. The building will have a classic design with surrounding landscaping that will greatly improve the current lot. The structure will be used by applicant, Matt Retzlaff, to create metal art sculptures to be sold on premises. The pole barn will work together with the completion of renovations in the main Train Depot building in order to create a destination where art and history collide. The applicant's stated that the new pole building is pivotal to the success of the business plan.

With the applicant's speaking to the Planning Board last month and with no new changes to the proposed Site Plan, the Planning Board had very few questions for the applicants. Due to the Zoning District that the applicants are in, the addition of the use is permitted, requiring Site Plan approval only. The Planning Board members did want to clarify with the applicants where the storage of material will be. Mr. Retzlaff stated that he plans to store the raw material behind an existing dumpster enclosure or inside.

At this time Chairman Muhlbauer asked for a motion to declare this application a Type II requiring no further action required due to the size of the building being under 4000 square feet. Member Greg Keyser made to motion, seconded by Member Ed Young, all in favor, none opposed.

All public notifications were completed prior to the hearing and this Public Hearing announcement was published in the Springville Journal. Erie County has deemed this application a local issue and has no further input.

Next, Chairman Muhlbauer then asked for a motion to approve application #10141 for Site Plan approval. Motion was made by Member Devin Kowalske, seconded by Member Ed Young. All in favor, none opposed.

The vote went as follows:

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

Application #10141 approved.

In the audience this evening also is Richard Myers. Mr. Myers owns property on Clark Street, a private road, in the Village of Springville. Mr. Myers would like to propose the rezoning of his property. His property is currently zoned R8.5, allowing single family residences. Mr. Myers would like to have his property rezoned so that he may be able to build a two family home with the possibility of building up to four residences. Mr. Myers has been in contact with the Army Corp. of Engineers as well due to a large portion of his property being located within a designated wetland. If Mr. Myers can have the wetlands delineated, allowing for more buildable room, he would like to put up two duplexes or a building housing four apartments.

After some discussion, the Planning Board took in to consideration that a good portion of the surrounding properties were already two family homes. Changing the zoning would make these legal non-conforming uses conforming. The Planning Board along with CEO Mike Kaleta agreed that it would be prudent to consider the surrounding properties when making a recommendation to change the zoning from R8.5 to allow more than just single family homes. It was brought up that the Village of Springville's Comprehensive Plan suggests a higher concentration of dwellings and that the rezoning would be following that idea.

With the Planning Board Members hearing the petition request and all questions being answered at this time, Chairman Muhlbauer asked for a motion to recommend to the Village Board of Trustees that Mr. Myer's property and the five properties surrounding be rezoned from R8.5 to RM. The properties that would be affected would be the three to the east of Clark Street and the three to the west of Clark Street along Route 39. Member Greg Keyser made the motion, seconded by Member Ed Young, all in favor, none opposed. (please, see attached map)

Next, CEO Mike Kaleta went over the language changes to the definitions for Lot Lines that the Planning Board would like to recommend to the Village Board of Trustees. The changes are as follows:

New LOT LINE, FRONT

In the case of a lot abutting upon only one street, the line separating such lot from such street. In the case of a lot that abuts more than one street, each street line shall be considered to be a front lot line.

Add language to rear yard and side yard.

On a corner lot the side yard will line up with the adjoining lot side yards.

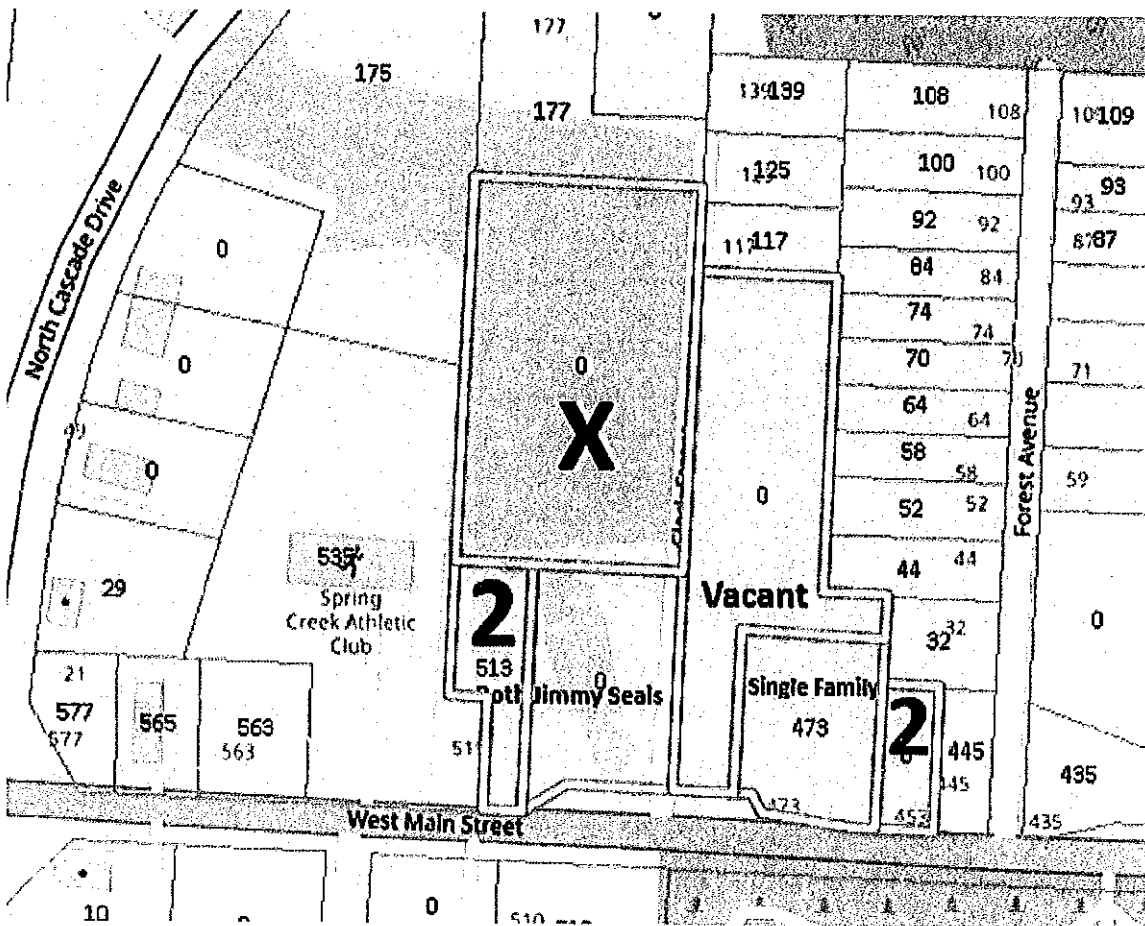
On a corner lot the rear yard will line up with the adjoining lot rear yards.

Lastly, Chairman Muhlbauer asked for a motion to approve the minutes from the March 28, 2023 Planning Board meeting. Member Ed Young made the motion, seconded by Member Devin Kowalske. All in favor, none opposed.

With there nothing else on the agenda this evening, Chairman asked for a motion at 8:23pm to adjourn the meeting. Member Devin Kowalske made the motion, seconded by Member Ed Young. All in favor, none opposed.

Respectfully Submitted,

Kellie Grube



ATTACHMENT NO. CA 2
AGENDA DATE 5/15/2023

Village of Springville
Historic Preservation Commission

May 8, 2023 7:00pm

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:

<i>Chairman:</i>	Bill Skura
<i>Vice Chairman:</i>	John Baronich
<i>Members</i>	Helen Brogan Don Orton Eric Tuberdyke – absent
<i>Also present:</i>	Seth Wochensky - SCA Max Collins - SCA Allissa Glasier - SCA Bob Adler Michael Wolniewicz Catherine Wolniewicz Chloe Krouse Dan Bryce Andrea Simmons Jennifer Morris Jonathan Horton Heather Svalina
<i>Clerk:</i>	Reed Braman

After the Pledge of Allegiance, Chairman Skura called the meeting to order at 7:02 p.m.

The first Certificate of Appropriateness before the board came from Springville Center of the Arts for a mural at 46 E. Main Steet. The mural depicted an image of Bertrand Chaffee wearing heart shaped sunglasses. The mural material is "wheat paste" and would be applied on the upper level of the building to cover up vandal's graffiti. Chairman Skura asked what the point of the sunglasses was offering the suggestion of "whimsy". SCA Director Wochensky agreed. Vice Chairman Baronich briefed the board on the discussion that was had with the SPAC relaying that some on the SPAC felt it was disrespectful to portray Bertrand Chaffee in a whimsical manner. There was discussion on if any of Bertrand Chaffee's descendants had been contacted. No one knew of any descendants. Vice Chairman Baronich asked if they would accept alterations to the appearance of the mural. SCA Director Wochensky said that they are applying as presented.

Chairman Skura made the motion to approve the Certificate of Appropriateness as presented, Vice Chairman Baronich seconded. Don Orton added the amendment to alter mural by switching out the pink sunglasses with a pink bowtie. All in favor, none opposed.

Upon completion of the vote, SCA Director Wochensky requested the reason for the amendment indicating that it was a de facto denial of the art work as presented. No legal basis was provided for the recommendation

The second Certificate of Appropriateness before the board came from the Springville Center for the Arts for a mural at 57 W Main Street. This mural depicted an array of creatures from Chinese mythology on a blue field. The mural would be installed on both sides of what is currently the Panda House Restaurant. SCA Director Wochensky clarified that both murals would be blue. He further explained that the Art's Center has permission from the owner to provide necessary repointing and minor improvements to provide a satisfactory surface to install the mural. He went on to describe the process of repairing the surface, providing a base coat, painting on the mural and finally installing a top coat that would seal in the mural. This would provide longevity to the mural that would last an estimated 20 years if not longer. The mural could be painted over at any time and Wochensky went on to explain that these murals are put up with an expectation that it will draw attention and bring a desire to improve properties which could include being painted over. The SCA has no contract with owners to require a length of time to display a mural.

The board debated the historic appropriateness of the mural. Don Orton said it wasn't adding to the historic character of the building or surrounding buildings. Vice Chairman Baronich said that it was historically relevant to the ownership and occupancy of the building. Chairman Skura said there were no longer other buildings surrounding it. Don Orton said that this mural is part of the gateway to the downtown Historic District and would be the first thing that people would see. Chairman Skura said that the mural is better than what is already there and that the first thing people see is a dilapidated building. Don Orton said that he doesn't like that it makes such a strong statement. Helen Brogan mentioned that she preferred the representative sample artwork that was in black and white.

Chairman Skura called for a vote to approve the Certificate of Appropriateness as presented. Vice Chairman Baronich seconded. Chairman Skura and Helen Brogan voted "Aye" and Vice Chairman Baronich and Don Orton voted "Nay". With no majority the certificate was denied.

Following the vote, SCA Director Wochensky requested a reason for the denial. Chairman Baronich said he didn't see the historic value. Don Orton explained that it doesn't keep the character of the historic district and that it makes a strong statement of the Village. SCA Wochensky noted for the record that there was no legal basis for denial.

The third Certificate of Appropriateness before the board came from the Springville Center for the Arts for a mural at 26 Franklin Street. This series of murals depicts four nature scenes that cover the four seasons. These murals would be installed on the garage doors of a storage facility owned by the artist (Michael and Catherine Wolniewicz). Catherine presented the four murals and explained the inspiration for the artwork and the ties to the nature of the area. Vice Chairman Baronich said the SPAC thought one of the images showed a likeness to Scoby Dam.

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

The fourth Certificate of Appropriateness before the board came from the Springville Center for the Arts for a mural extension at 59 E Main Street (former Witter Davis building). During a previous conversation it was mentioned that unaltered brick would need to be approved by the board. The Certificate application is requesting a 2 foot extension on the bottom of the mural. In the application was evidence of paint splatter and spills that have affected the appearance of the brick up close.

The board discussed the exterior of the building in general and the desire to see the windows on the third floor reinstated.

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

The fifth Certificate of Appropriateness before the board came from the Springville Center for the Arts for a temporary installation of crocheted hearts hung from trees throughout the Downtown Area. Alisia Glasier, one of the artists in residence with the Springville Center for the Arts, explained that a group of fabric arts artists wanted to participate by crocheting hearts for display. The hearts would be free to take by the Arts Crawl Festival goers. The hearts would be hung by a string that was part of the artwork and there were no separate fasteners required. There would be approximately 400 hearts hung and the remaining hearts would be removed within 1-3 days following the festival

Helen Brogan made a motion to approve the Certificate of Appropriateness as presented. John Baronich seconded that motion. All in favor, none opposed.

The sixth Certificate of Appropriateness before the board came from the Springville Center for the Arts for a temporary installation of microplastic recycling bins throughout the downtown area. These bins would be provided to collect microplastics and draw attention to the issue of small plastic litter. The bins would be stationed and moved from time to time over the summer. The bins would be weighted down with concrete blocks to prevent unwarranted movement or theft.

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

Chairman Skura requested more input from the Village Board on how the Historic Preservation Commission is supposed to address murals and whether they should even come before the board.

Chairman Skura asked for a motion to approve the minutes from January 9th, 2023 meeting.

Don Orton made the motion to approve the minutes, Chairman Skura seconded. Don Orton, Helen Brogan and Chairman Skura voted in favor, Vice Chairman Baronich abstained.

Chairman Skura asked for a motion to approve the minutes from March 13th, 2023 meeting.

Vice Chairman Baronich made the motion to approve the minutes, Chairman Skura seconded. Vice Chairman Baronich, Helen Brogan and Chairman Skura voted in favor, Don Orton abstained.

The minutes for the April 10, 2023 meeting could not be approved due to the lack of quorum with Eric Tuberdyke absent and Vice Chairman Baronich and Helen Brogan required to abstain.

Don Orton made the motion to adjourn at 9:15 p.m., seconded by Vice Chairman Baronich. All in favor, none opposed.

Respectfully submitted,

Reed Braman