

**VILLAGE OF SPRINGVILLE
BOARD MEETING
January 20, 2026, Minutes – 7:00 PM**

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:

Mayor Timothy Michaels

Trustees Russ Belscher
Lindsay Buncy
Mary Padasak
Jessica Schuster

Village Attorney Paul Weiss via Teams

Police Officer Nick Budney via Teams
In Charge

Superintendent Duane Boberg

Code Enforce- John Baker
Ment Officer

Clerk/Treasurer Jennifer Haberl via Teams

Also Attending:

Max Borsuk – Springville Journal
Kelly Baker
Seth Wochensky
Allison Duwe
Julie Francisco
Shane Miller - ECSO

Deputy Mayor Belscher speaking for Mayor Michaels called the meeting to order at 7:00 PM.

MINUTES

- Minutes of the Regular Meeting of January 5, 2026, were approved as written by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.

PUBLIC HEARING

- **Local Law 2 of 2026 – E-Bike Regulation Code Addition**
Public Hearing was opened by Trustee Schuster, seconded by Trustee Padasak. Trustee Schuster started the discussion by asking ECSO Shane Miller to comment for the public’s benefit. Sheriff Miller stated that there have been some issues with e-bikes involving bad accidents and fatalities and that there is a need to have enforcement if necessary. There is an age limit of 16 and this law enables more communication between police, youth and parents. Trustee Schuster thanked Shane Miller for his service and his advocacy to making the Village safer. Public hearing was closed by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Local Law 3 of 2026 – Hours of Operation for Service and Retail Downtown Businesses**
Public Hearing was opened by Trustee Schuster, seconded by Trustee Padasak.
 1. Allison Duwe from 30 S. Central commented on the following:
Allison wanted to know what was being voted on this evening. She could not find any information on the website. Trustee Schuster read LL3 for public awareness. Trustee Buncy explained further that this is so Main Street has open businesses. This is the Board’s goal, but we are open to the public’s thoughts and opinions on this subject. Allison asked when this will be voted on. Trustee Schuster explained that there is an opportunity to vote tonight or it

can be tabled and addressed later. Allsion, as a business owner, understands and has no problem with what has been laid out but she worries that more regulation can add more burden to staff. In addition, she thinks it would be prudent to communicate the contents of this local law with downtown Main Street business owners. Trustee Buncy has talked to a few business owners and understands that there are some concerns.

2. Seth Wochensky Commented on the following:

He agrees with the sentiment behind the proposed legislation but is hesitant for a law to be created. He stated that this law needs a lot more thought and that it may be hard to enforce. He wishes there were no closed businesses but not sure this is the way to do it. There are problem businesses with a multitude of other code violations and maybe the Village should consider not adding more laws.

Public Hearing was closed by Trustee Schuster and seconded by Trustee Padasak and carried with unanimous approval.

○ **Local Law 4 of 2026 – Moratorium of Short-Term Rentals (STR), operating outside of Village code**

Public Hearing was opened by Trustee Schuster, seconded by Trustee Padasak.

1. Seth Wochensky stated that he is the Executive Director of the Springville Center for the Arts, which operates two STR's and these have been in operation for approximately 5 years. Unbeknownst to him, this is a violation of code and he apologizes for that. The Art Center lists the STR's on Airbnb to help pay for the spaces. These spaces are used for short-term artist stays; homeless people and families who have suffered losses. He understands that there are major problems with STR's in other areas which should be addressed in the Village before it becomes a problem. He's not sure there is a problem in the Village of Springville and wants to know if there is a list of complaints. His main question is what problem is being addressed by having this local law.. He would like clarification of what's going on and thinks a committee is a good idea to discuss further legislation. As far as he knows there have never been any issues. Trustee Schuster clarified that this local law is to establish a 60-day moratorium on enforcement/fines to give the committee time to create a fair & reasonable code. Trustee Padasak commented that the committee has reviewed other places' policies on STR's and they are working to put something in place that works for the Village of Springville. Seth agrees the law as it relates to STR's needs to address the concerns specific to the Village.
2. Julie Francisco wanted to know if there are any codes at all for Airbnb's. CEO, John Baker stated that bed & breakfast establishments are allowed as special exception use. Julie understands that the Village doesn't want to become like other communities.

Public Hearing was closed by Trustee Schuster and seconded by Trustee Padasak and carried with unanimous approval.

PUBLIC COMMENT – None

NEW BUSINESS

- Sewer forgiveness request A/C # 09-0120-02; \$1,140.00 – Usual consumption is zero as the house is vacant for total rehab. Water leaked into ground drain. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- Sewer Forgiveness request A/C 11-1070-01; \$320.00 – Noticed low water pressure at main house, called plumber 12/21/25, plumber found leak at rental & repaired 12/26/25. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.

Trustee Schuster mentioned that if a resident has a water leak problem, they should call the Village office right away to get the total amount forgiven, as this is based on a sliding scale.

DEPARTMENT REPORTS

Clerk/Treasurer

Resolutions:

- Authorize Mayor to sign Length of Service Award Program for 2026 Actuarial and Administration Fee with Hometown Firefighter Services in the amount of \$7,141.95. See attached. FY 2025 amount was \$6,342. This was approved as written by Trustee Buncy, seconded by Trustee Schuster and carried with unanimous approval.

Discussion:

- Election information is on the village website www.villageofspringvilleny.gov. Please see NYS Board of Election website www.elections.ny.gov for more information or contact your attorney
- Budget packets have been distributed to department heads and budget meetings will be held on February 10 and February 12 beginning at 6pm.

Superintendent Report

Resolutions:

- **Resolution:** Declare Village as lead Agency for Local Law 2 of 2026 – E-Bike and Electric Scooter Regulations. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Resolution** - Accept SEQR/Neg Declaration for Local Law 2 of 2026 – E-Bike and Electric Scooter Regulations. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Resolution** Adopt Local Law 2 of 2026 – E-Bike and Electric Scooter Regulations. (See attached) This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Resolution** Declare Village as lead agency for LL 3 of 2026- Hours of Operation for Service and Retail Downtown Businesses. This was approved by Trustee Padasak, seconded by Trustee Schuster and carried with unanimous approval. Trustee Schuster stated that this can still be tabled even though this resolution is approved.
- **Resolution** - Accept SEQR/Neg Declaration for Local Law 3 of 2026 - Hours of Operation for Service and Retail Downtown Businesses. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Resolution** Table Local Law 3 of 2026 – Hours of Operation for Service and Retail Downtown Businesses. (See Attached)Trustee Schuster stated that the intentions are good, but this law needs more work in setting parameters. There were some thoughtful comments tonight from the public. Trustee Schuster made the motion to table this adoption and would like it added to old business for the next board meeting. **The motion to table** was made by Trustee Schuster, seconded by Trustee Buncy and carried with unanimous approval.
- **Resolution** - Declare Village as lead agency for LL 4 of 2026- Moratorium on Bed and Breakfasts and Short-Term Rentals operating outside of Village Code. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Resolution** - Accept SEQR/Neg Declaration for Local Law 4 of 2026 - Moratorium on Bed and Breakfasts and Short-Term Rentals operating outside of Village Code. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Resolution** Adopt Local Law 4 of 2026 - Moratorium on Bed and Breakfasts and Short-Term Rentals operating outside of Village Code. This was approved by Trustee Schuster, seconded by Trustee Padasak. Discussion followed:

Trustee Belscher read Mayor Michaels email regarding this moratorium:

“I believe that a moratorium on enforcement of short term rentals is a bad idea and sets a bad precedent for the future and here is why , Several months ago a village resident wanted to open a Meadery, they looked at the code and realized that the code did not allow so they can to a Village board meeting and aske3d what can we do to make this work. The Board, along with legal counsel, figured out what needed to be done and changed the code to accommodate the business, that resident showed good faith. The individuals who opened the short-term rentals could have truly shown good faith and could have approached the board for a change in code, but they didn't and now that they have been cited want enforcement suspended because we are going to change the code. This is a bad idea for every class I have taken at NYCOM, and the college says enforce the code stand by the code until you change the code. The reason for this is liability, the next time someone breaks the law (code) they will want special treatment also and if that Board doesn't give in, the Village can be open to a lawsuit. The law (code must be enforced with consistency as to not show favoritism. There were no good faith attempts by any of these individuals to make a change. We must enforce the code. Thank you, Mayor Timothy Michaels,”

Trustee Schuster agrees with the mayor, although this is a different scenario, understanding that this was a new business and STR's are existing businesses. She lists events below:

4/7/2025 – Village Board Meeting (VBM) Discussion – Change in Code, possible storage of flammable and/or other liquids

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5/7/2025 – email from individual to Trustee Schuster

5/19/2025 – Agenda – Possible Code change under old business.

11/17/2025 – VBM, CEO - John Baker would like the board to consider adding to code regarding STR's.

Trustee Schuster listed these events to show that this is a good, deliberate process, and if we penalize people for taking time to think about the changes we are making, that is a mistake. This local law is not impacting anyone and will give a pause so the law can be developed. This is not favoritism; democracy works because people communicate and that is how code changes. Taking the time without seeming selective and not penalizing people who are trying to grow this Village is not a lot to ask. Trustee Schuster is in support of the moratorium, and the 60-day period seems reasonable.

Trustee Padasak commented that she agrees with Tim's points and agrees with Trustee Schuster's points. The Village wants to include the residents and move forward. In no way are we trying to stop this business but want to move forward responsibly. The 60-day moratorium seems to be the best way to do this.

Trustee Belscher stated that ignorance of the law doesn't make it right. He asked Village attorney, Paul Weiss if this could cause liability issues for the Village.

Paul Weiss stated that yes this can create greater liability issues down the road because it's an example of an arbitrary and capricious action by the Village Board and can create future risks.

Paul Weiss clarified that he was charged by the Village Board with writing LL4 as the Village Attorney. He is not endorsing it

Trustee Schuster asked if moratoriums were ever used in other instances. Paul commented that this type of moratorium is an aberration, and he has never seen a moratorium on enforcement of a local law.

Paul stated that STR's are not in the table of use and if it wasn't included then it is prohibited.

Paul stated that moratoriums are rare and usually used to maintain status quo not change it. He advises against adopting the moratorium.

Trustee Schuster has a general issue with the code, which is by its very nature selective, meaning there is 1 CEO and lots of code. John Baker asked the Board in November for direction, and the board postponed the answer. John deserves action from the Board so he can do his job.

Trustee Schuster proposes a resolution to adopt LL4 of 2026 – (See Attached) - Moratorium on Bed and Breakfasts and Short-Term Rentals operating outside of Village Code as is written. Motion made by Trustee Schuster, seconded by Trustee Padasak and carried by Trustee's Schuster, Padasak and Buncy. Mayor Michaels and Trustee Belscher opposed.

- **Resolution:** Accept the resignation of Russell Judson as a Public Safety Dispatcher with the Springville Fire Control Center. Effective January 27,2026. This was approved by Trustee Padasak, seconded by Trustee Schuster and carried with unanimous approval.
- **Resolution:** Rehire Russell Judson, as a Public Safety Dispatcher with the Springville Fire Control Center, effective January 29, 2026. This was approved by Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.
- **Resolution** – Mayor to sign contract for EV stations for Squared Electric. Project to begin late spring/early summer. Motion passed by Trustee Schuster, seconded by Trustee Padasak, and carried with unanimous approval.

Discussions:

- The Village of Springville received a CDBG grant for \$150,000 for improvements on the Waverly St waterline. That project will be starting this summer and must be completed by the end of the year.

Police Report – ECSO Shane Miller reported on the following:

- Year-end statistics.
- He would like to know of any upcoming 2026 events.

Fire Report – No report this evening

Code Enforcement Officer – CEO John Baker updated the board on the following:

- Inspection of 6163 Main Street – Antique Shop

Control Center – No report this evening

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OLD BUSINESS - None

BILLS – Bills, as examined by members of the Board of Trustees, were approved for payment in accordance with Abstracts # 209-231 of 2025/2026 total of \$912,872.96 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Schuster, seconded by Trustee Padasak and carried with unanimous approval.

CONSENT AGENDA – The motion was made by Trustee Buncy, seconded by Trustee Padasak and carried with unanimous approval to accepting the permits and applications below.

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

Minutes of the Planning Board meeting on November 25, 2025. **CA.1**

PROJECT: 0000011185 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 7424 ZOAR RD
ISSUED DATE: 12/11/2025
ISSUED TO: CHANDLER, WESLEY
7424 ZOAR VALLEY RD
SPRINGVILLE, NY 14141

PROJECT: 0000011186 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 323 W MAIN ST
ISSUED DATE: 12/17/2025
ISSUED TO: S MANDIAK ELECTRIC LLC
5345 SCRANTON ROAD
HAMBURG, NY 14075

PROJECT: 0000011187 - UTILITY CHANGES-ELECTRIC TYPE: ELECTRIC
PROPERTY: 90 ELLIS AVE
ISSUED DATE: 12/17/2025
ISSUED TO: GERWITZ & MCNEIL ELECTRIC INC
5756 THORNWOOD DR
WEST VALLEY, 14171

PROJECT: 0000011188 - VIOLATION-ZONING TYPE: ZONING REVIEW
PROPERTY: 36 N CENTRAL AVE
ISSUED DATE: 12/29/2025
ISSUED TO: FOSTER, ROBYN
36 N CENTRAL AVE
SPRINGVILLE, NY 14141

PROJECT: 0000011189 - VIOLATION-ZONING TYPE: ZONING REVIEW
PROPERTY: 19 ACADEMY ST
ISSUED DATE: 12/29/2025
ISSUED TO: RVK HOMES
4050 13TH WAY NE
ST PETERSBURG, FL 33703

PROJECT: 0000011190 - VIOLATION-ZONING TYPE: ZONING REVIEW
PROPERTY: 227 W MAIN ST
ISSUED DATE: 12/29/2025
ISSUED TO: A.R.T. PROJECT PROPERTIES
29 MECHANIC ST.
SPRINGVILLE, NY 14141

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CONSENT AGENDA

PROJECT: 0000011191 - VIOLATION-ZONING
PROPERTY: 5 E MAIN ST
ISSUED DATE: 12/29/2025
ISSUED TO: ARTS CAFE SPRINGVILLE LLC
PO BOX 62
SPRINGVILLE, NY 14141

TYPE: ZONING REVIEW

PROJECT: 0000011192 - VIOLATION-ZONING
PROPERTY: 29 N BUFFALO ST
ISSUED DATE: 12/29/2025
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
PO BOX 62
SPRINGVILLE, NY 14141

TYPE: ZONING REVIEW

PROJECT: 0000011193 - VIOLATION-WORK WITHOUT PERMIT
PROPERTY: 206 ELK ST
ISSUED DATE: 12/29/2025
ISSUED TO: WICHER, JACOB
206 ELK ST
SPRINGVILLE, NY 14141

TYPE: RESIDENTIAL
ALTERATION

PROJECT: 0000011194 - PLANNING BOARD REVIEW
PROPERTY: 36 N CENTRAL AVE
ISSUED DATE: 1/02/2026
ISSUED TO: FOSTER, ROBYN
36 N CENTRAL AVE
SPRINGVILLE, NY 14141

TYPE: PLANNING BOARD
REVIEW

PROJECT: 0000011195 - ROOFING
PROPERTY: 30 S CENTRAL AVE
ISSUED DATE: 1/08/2026
ISSUED TO: STELLAR ROOFING INC
1742 LONG POND ROAD
ROCHESTER, NY 14606

TYPE: ROOF

PROJECT: 0000011196 - FIRE INSPECTION
PROPERTY: 39 E MAIN ST LWR
ISSUED DATE: 1/01/2025
ISSUED TO: STUDIO B FITNESS
39 E MAIN ST-1ST FLOOR
SPRINGVILLE, NY 14141

TYPE: FIRE INSPECTION

ATTACHMENT NO. CA 1
AGENDA DATE 1/20/26

**VILLAGE OF SPRINGVILLE
PLANNING BOARD MINUTES**

November 25, 2025

7:00 P.M.

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

Chairman:	Bob Muhlbauer
Members:	Barb Lipka
	Tim Shriver (absent)
	Greg Keyser
	Brett Landsman
	Russel Belscher(absent)
Building Inspector/ CEO:	John Baker
Clerk:	Julie Nunweiler

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

With nothing on the agenda, under Old Business Chairman Muhlbauer asked CEO John Baker if he had heard anything more pertaining to Wendys and was told that he did not but did mention that he heard that Wendys is closing many of their locations and halting construction.

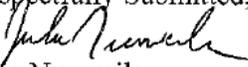
Member Barb Lipka mentioned the A&W project looks like progress is being made and asked if Herb City had any date targeted for opening.

CEO John Baker said he did not know of any as dispensaries are state mandated.

Chairman Muhlbauer asked to get a motion to approve the minutes from the October 28, 2025 meeting Member Barb Lipka made the motion, seconded by member Brett Landsman. All in favor, none opposed.

With nothing else to discuss, Chairman Muhlbauer asked for a motion to adjourn meeting at 7:15 Member Greg Keysor made the motion, seconded by Brett Landsman. All in favor, none opposed.

Respectfully Submitted,


Julie Nunweiler

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VILLAGE ATTORNEY REPORT –

- Village Attorney Paul Weiss wanted to let the Board know that his workload as Village prosecutor continues to increase.

TRUSTEE NOTES & PROJECT REPORTS

Trustee Buncy – No report this evening.

Trustee Belscher

- Attended the Zoning Board Meeting.

Trustee Schuster

- The Historic Preservation Commission met last Monday. The CLG report was issued, and the main deficiency is that there are no documents relating to our appointments.
- Thank you to Duane Boberg for the CDBG grant work.

Trustee Padasak – Short-Term Rental work is coming along and updates are forthcoming.

Mayor Michaels – No report this evening.

TREE COMMITTEE REPORT - None

PUBLIC COMMENT – Julie Francisco had an Airbnb question:

Julie asked if there was a complaint and what prompted CEO, John Baker to investigate Short term rentals. John said it was just a progression from the accessory dwelling unit (ADU) law the Village just added.

EXECUTIVE SESSION - None

ADJOURN

Motion was made by Trustee Schuster, seconded by Trustee Padasak, and carried with unanimous approval to adjourn the Regular Session at 8:28pm.

Respectfully submitted,

Jennifer Haberl
Clerk/Treasurer