

TOWN OF CONCORD TOWN BOARD MEETING December 14, 2023
7:00 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,
at 7:00 p.m.

ROLL CALL: PHILIP DROZD, SUPERVISOR
 CLYDE M. DRAKE, COUNCIL MEMBER
 KENNETH D. ZITTEL, COUNCIL MEMBER
 KIMBERLY S. KRZEMIEN, COUNCIL MEMBER

EXCUSED: WILLIAM F. SNYDER, III, COUNCIL MEMBER

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk
 BARRY A. EDWARDS, Hwy Supt.
 BRIAN F. ATTEA, Town Attorney
 CAROLYN A. ROBINSON, Dog Control Officer

GEORGE DONHAUSER KENNETH KASSEL
ASHLEY LOWRY, Springville Journal

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY COUNCIL MEMBER KRZEMIEN

Council Member Snyder was unable to attend tonight's meeting and asked Council Member Drake to read the following message into tonight's minutes:

First, it is with regret that I am unable to attend my last board meeting. As my final term in office draws to a close, it is with a touch of sadness but mostly a sense of comfort that I step down from the Town of Concord Town Board in order to better pursue expanded responsibilities in my full-time employment. I first became involved in local government in the very early 2000's when I served on the Hulbert Library Board and the Zoning Board of Appeals. I was first elected to the Town Board in 2006 at 28 years old. Gene Cranston and Ray Hubert took me under their wings at the time and went out of their way to help me. I will always remember their unwavering dedication to the Town which served as an example for me to follow. I was able to accomplish a lot in office, especially early on in my first two terms. I believe my greatest contributions were a dedication to fiscal conservatism always pushing to keep taxes low without compromising service, and a desire to make local government as transparent as possible. As a strong advocate for term limits at all levels of government, I stepped down after two terms. Following a few years off the board, I was reappointed and served again until now. I am comforted as I step down because I have the confidence and understanding that each Board member truly has the best interests of the residents of Concord in mind. Ken Kassel is also going to represent us well and I congratulate him on his election to the seat I am vacating. It was an absolute honor to represent the residents of Concord over the past several decades. I'd like to thank those that helped and supported me over the years: Beth Bolt, Darlene Schweikert, Barry Edwards, Jim Krzemien, Clyde Drake, Deb Barone, Brian Attea, Robin Sion, the current Board, my parents (Bill and Mary), and my wife Courtney and especially the residents and voters of Concord. To the current Board, thank you for putting up with my endless questioning. Keep challenging each other and always conduct the business of the town in the open. The Town of Concord is in solid financial shape and well represented. Thank you.

Sincerely,
Bill

Council Member Drake noted that Council Member Snyder will be missed on the Board; they may not have always agreed but had conversation and respect and you can't ask for anything else. Council Members Zittel and Krzemien and Supervisor Drozd agreed.

ITEM #1 CONSENT AGENDA

- a) Approval of Minutes:
 - (1) Work Session – 11/09/2023
 - (2) Public Hearing Budget – 11/09/2023
 - (3) Town Board Meeting – 11/09/2023
 - (4) Special Town Board Meeting – 11/20/2023

Motion by Council Member Drake, seconded by Council Member Zittel, to approve Consent Agenda (a)(1-4). Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

- b) Monthly Reports:
 - (1) Code Enforcement Report – November 2023
 - (2) Dog Control Officer Report – November 2023
 - (3) Town Clerk Report – November 2023
 - (4) Judge Frank - October 2023
 - (5) Judge Gibbin – October 2023
 - (6) Supervisor’s Report – September 2023
 - (7) Senior Transportation Van Report – September 2023
 - (8) Senior Center Report – November 2023
 - (9) Assessor’s Report – November 2023
 - (10) Historian Report – Annual 2023

Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve Consent Agenda (b)(1-10). Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

ITEM #2 RESIDENT CONCERNS:

No one else wished to address the Board

ITEM #3 HIGHWAY DEPARTMENT

- a) Hwy Supt Edwards read his Highway Report.

Motion by Council Member Zittel, seconded by Council Member Drake, to receive and file the Highway Report. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

ITEM #4 OLD BUSINESS

- a) Community Park Pavilion Project Update – Supervisor Drozd updated the Board on the Community Park Pavilion Project:
 - (1) The Town received the final reimbursement from the grant.
 - (2) The Pavilion has been winterized.
 - (3) A ribbon-cutting ceremony will be planned in the Spring.

- b) Kissing Bridge Waste Water Treatment Plant (KBWWTP) – Supervisor Drozd discussed the following with the Board

- (1) Approve Application No. 1 – Meyer Septic in the amount of \$90,000.00. This has been reviewed and approved by Caleb Henning at MDA. Supervisor Drozd also noted that the KBWWTP went offline as of Tuesday, December 12, 2023. The new tank was set today. The project is moving along at a brisk pace; the weather has been cooperating.

Supervisor Drozd also informed the Board that the Village of Ellicottville came up with their camera and flusher truck. There is one manhole cover on the road by Kissing Bridge that shifted and is building up with stone. If the weather holds, this issue will be addressed next week.

Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve Application No. 1 – Meyer Septic in the amount of \$90,000.00. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

ITEM #5 NEW BUSINESS

a) Audit of the Bills – Supervisor Drozd stated that these bills were audited by Council Member Zittel, and reviewed by the Board.

Year 2023 Abstract 12:
General Fund A, Abstract 12, \$51,484.04
General Fund B, Abstract 12, \$651.84
Library Fund, Abstract 12, NONE
Genesee Solar Energy, Abstract 12, \$192.50
Fire Protection, Abstract 12, NONE
Joint Van, Abstract 12, \$584.48
Joint Youth, Abstract 12, NONE
Craneridge Lighting, Abstract 12, NONE
Craneridge Sewer, Abstract 12, \$2,758.87
Highway DA, Abstract 12, NONE
Highway DB, Abstract 12, \$78,689.70
Kissing Bridge Water, Abstract 12, \$15.00
Kissing Bridge Sewer, Abstract 12, \$10,525.67
Trevett Rd. Water, Abstract 12, NONE
Cattaraugus St. Water, Abstract 12, \$445.00
Trust & Agency, Abstract 12, NONE
Capital (HA) C. Sewer, Abstract 12, NONE
Capital (HB) Land, Abstract 12, NONE
Capital (HD) Catt St, Abstract 12,
Capital (HE) Sr. Ctr, Abstract 12, NONE
Capital (HF) Hwy Equip, Abstract 12, NONE
Capital (HG) Waste Water Study, Abstract 12, NONE
Capital (HI) KB/CR Sewer Project, Abstract 12, \$1,500.00

Motion by Council Member Zittel, seconded by Council Member Drake, to approve the bills in Year 2023 Abstract 12 as presented. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

b) Create Code Update Reserve budget line – Council Member Drake noted that a reserve budget line has to be created for the work being done on the Town Code. The Planning Board has been working on this project and there is still work to be done. There was \$20,000 in Year 2023 Budget Line B8020.48. There is \$10,412 left in that line at this time and no more expenditures are expected for this year; this amount needs to be moved into a reserve account for Year 2024 to complete the Code Update process. Motion by Council Member Drake, seconded by Council Member Zittel, to create a reserve budget line as detailed above. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

c) Approve C&G Wright Custom Electrics quote: Boardroom Audio \$11,038.49 for his labor and parts. Supervisor Drozd and Town Clerk Schweikert have been talking with companies about the audio for the boardroom this past year. Other quotes had been received but they were very expensive. Supervisor Drozd obtained this company's information from Arcade who had just had their Boardroom done. Chuck Wright came to look over the project and submitted his quote a couple days later; and he came highly recommended by Arcade. Motion by Council Member Zittel, seconded by Council Member Drake, to approve the C&G Wright Custom Electrics quote for the Boardroom Audio in the amount of \$11,039.49. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

d) Garden Club use of Town Hall side yard for Garden Walk on July 13, 2024. Supervisor Drozd advised that the Town had approved the Garden Club's use of the Town Hall side yard the last couple of years. Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the Garden Club's use of the Town Hall side yard for their Garden Walk on July 13, 2024. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

e) Approve Penn Power Systems 3 Year Contract – Senior Center Generator – Supervisor Drozd noted that every year, Penn Power Systems comes out to check the generator and get it running. Penn Power Systems has offered the Town a three-year contract for planned maintenance in the amount of in the amount of Year #1, \$782, Year #2, \$805 and Year #3, \$830. By signing this Contract, it will assist in the Town's budgeting process over the next three years and the company will then schedule the planned maintenance appointments so the Town will not have to call annually. Motion by Council Member Drake, seconded by Council Member Zittel, to approve the Penn Power Systems 3 Year Contract – Senior Center Generator Planned Maintenance as detailed above. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

f) Resignation of David Dains, Zoning Board of Appeals – Supervisor Drozd Informed the Board that Mr. Dains submitted his resignation from the Zoning Board of Appeals, effective December 14, 2023, so that he could become a member on the Planning Board. Motion by Council Member Zittel, seconded by Council Member Krzemien, to accept the resignation of David Dains, Zoning Board of Appeals, with regrets. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

g) Appoint David Dains, Planning Board 12/14/23 to 12/31/24 (remainder of Karl Lux term) – Supervisor Drozd informed the Board that Mr. Dains has agreed to become a member on the Planning Board. Mr. Dains will be filling the unexpired term of Karl Lux. Motion by Council Member Drake, seconded by Council Member Zittel, to appoint David Dains to the Planning Board for the term 12/14/23 to 12/31/24. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

h) Reappoint Julie Zybert, Planning Board 1/24 to 12/31/30 – Council Member Drake advised the Board that Mrs. Zybert has agreed to remain on the Planning Board. Motion by Council Member Drake, seconded by Council Member Zittel, to reappoint Julie Zybert to the Planning Board for the term 1/24 to 12/31/30. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

i) Reappoint James Miller, Zoning Board of Appeals 1/24 to 12/28 – Town Clerk Schweikert confirmed that Mr. Miller has agreed to remain on the Zoning Board of Appeals. Motion by Council Member Krzemien, seconded by Council Member Zittel, to reappoint James Miller to the Zoning Board of Appeals for the term 1/24 to 12/28. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

j) Appoint Guy Marlette, Zoning Board of Appeals 12/14/23 to 12/31/27 – Mr. Marlette moved to the Town of Concord about five years from the Town of Amherst where he held various positions in their local government including Deputy Town Supervisor. Mr. Marlette will be filling the unexpired term of David Dains. Motion by Council Member Drake, seconded by Council Member Zittel, to appoint Guy Marlette to the Zoning Board of Appeals for the term 12/14/23 to 12/31/27. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

k) Set Organizational Meeting Date 1/11/24 at 6:15 p.m. – Supervisor Drozd advised that at 6 p.m. on January 11, 2024 the Town Board will hold their Swearing In Ceremony for Council Member Kenneth Zittel and new Council Member Kenneth Kassel. Judge Gibbin will swear in Judge Frank prior to their January 8th Court night and

then Judge Frank will swear in the Council Members on January 11th. Motion by Council Member Krzemien, seconded by Council Member Zittel, to set the Organizational Meeting Date for Thursday, January 11, 2024 at 6:15 p.m. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

Motion by Supervisor Drozd, seconded by Council Member Drake to add (1) NYS Water Infrastructure Improvement Act (WIIA) grant, to the Agenda. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

1) NYS Water Infrastructure Improvement Act (WIIA) Grant – Supervisor Drozd informed the Board that last year the Town of Concord received a Congressional Grant in the amount of \$2,000,000.00 from Congressman Chris Jacobs to be utilized by the Town in combining the Craneridge Waste Water Treatment Plant and the Kissing Bridge Waste Water Treatment Plant. The Town has been working on another grant through the Clean Water State Revolving Fund and just received notification that the Town has been awarded a NYS Water Infrastructure Improvement Act (WIIA) Grant in an amount not to exceed \$1,175,000.00. These two grants total approximately 60% of the anticipated project cost of \$6,000,000.00. This project will be the most expensive public works project the Town has ever seen. This project is vital for the anti-pollution efforts to keep effluent that flows into the West Branch of the Cazenovia Creek clean. Supervisor Drozd thanked Congressman Nick Langworthy, Senator Patrick Gallivan, Legislator John Mills, Town of Boston Supervisor Jason Keating, Town of Cheektowaga Supervisor Gary Dickson, Town of Colden Supervisor James DePasquale, Springville Griffith Institute School Superintendent James Bialasik, Fritz Ehmke, Rich Fanelli, MDA Consulting Engineers, Ellicottville Town and Village Engineer Ben Slotman for all the support letters. Supervisor Drozd asked MDA Consulting Engineers to proceed with the design for the combined Waste Water Treatment plant with an anticipated start day of January 2025 with completion by the end of 2025.

Motion by Council Member Drake, seconded by Council Member Krzemien, to accept the WIIA Grant and authorize Supervisor Drozd to sign the necessary documents indicating the Town's intent to proceed with this project. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

ITEM #6 COUNCIL MEMBER NOTES

a) Council Member Zittel thanked Council Member Snyder for all he has done for the Town. He will be missed on the Board. Then he welcomed Council Member-elect Kassel. Council Member Drake thanked Council Member Snyder for his service on the Board; Supervisor Drozd added that it is a big loss for the Town.

b) Council Member Zittel wished everyone a Merry Christmas.

c) Supervisor Drozd stated that after he had received notification of the WIIA Grant, he sat down and highlighted what the Board has been accomplishing over the last two years: The American Rescue Plan Act (ARPA) funds changed things for the Town in the right direction including Maintenance on all Town buildings-new floors, painting, a janitorial closet at Town Hall, electrical updating, rebuilt the elevator, a new water softener, all Town buildings now have LED lighting (working at the Hulbert Library now), LED street lighting and LED lighting at the KB pump house. The Senior Center had a new industrial hot water tank installed and a new water softener installed, floor cleaning machine was purchased, a cleaning service was hired, a room divider was installed with the Community Development Block Grant. The Bensley Center has a new sign, plumbing was repaired, side steps and a concrete pad; worked on the water leak. At the Hulbert Library the parking lot was resurfaced, drainage and gutters, looking forward to updating the front of the building. At the Highway Garage, the salt barn was repaired, the floor drain system was replaced, the department repaired and painted the interior walls, upgraded highway vehicles; the Town fleet is ready for Winter. At Community Park, the new Pavilion was completed with a mechanical/storage room and food servicing room with an overhang. This is a beautiful and functional building. A new well and septic were installed. A new concrete floor was poured at the Grange Shelter,

the Highway Department put a new roof on the Barnes Shelter. Supervisor Drozd thanked Council Member Zittel for his contributions to this project and his work on the Senior Center Parking lot. He saved the Town a lot of money. There will be a ribbon cutting ceremony in the Spring. Supervisor Drozd is looking into inclusive playground equipment. The disc golf course last 9 baskets were also purchased and installed by Parks Supt. Schweikert and Justin King.

Supervisor Drozd thanked the Board for working together on all these projects. Council Member Drake noted that the Town got extremely lucky because the rules changed on how the ARPA funds could be utilized. The projects done were for the betterment of the Town of Concord. Supervisor Drozd noted in closing that "We aren't done yet!"

d) Town Attorney Attea wished everyone a Merry Christmas.

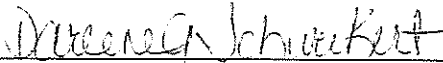
ITEM #7 EXECUTIVE SESSION

There was nothing for Executive Session.

ITEM #8 MOTION TO ADJOURN IN MEMORY OF:

Motion by Supervisor Drozd, seconded by Council Member Drake, and passed unanimously, to adjourn the meeting at 7:41 p.m. in memory of:

Dennis J. Wulff
John Lattimer
Vera M. Randall
Bryon A. Mesch
Ronald W. Wells
James H. Thompson
Patricia A. Nearhood
William J. Rinus, III
Derek N. Brown
Patricia Sepull
John C. Cranston
Walter Krah
Shirley A. Krah
Jeffrey A. Smith
Doris L. Bevington
Alice I. Roth
William D. Lounsbury
Jane J. Krawczyk



Darlene G. Schweikert
Town Clerk

Town of Concord Highway Department

13076 N. Central Avenue

Springville, NY 14141

716-592-4892 Phone

716-592-4357 Fax

Barry A. Edwards, Highway Superintendent

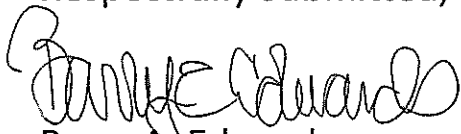
Highway Superintendents Report for the period of November 9, 2023 to December 12, 2023.

With thirty-four days in this period the Highway Department

- Plowed and sanded six (6) times this month.
- Repaired and replaced needed safe hits.
- Painted the plow and wing on Tk#14.
- Cut trees on Spaulding Road.
- Cleaned up tree at the Bensley Center.
- Attended mandatory training.
- Winterized the restrooms at the Town Park.
- Cut trees at the Town Park, Town Hall, and Maplewood Cemetery.
- Painted plows on Tk#16 and Tk#19.
- Repaired and welded bushings on Tk#14.
- Picked up new Ram 5500 from Emerlings and had lettered.
- Cleaned up chips from stump grindings at the Bensley Center.
- Replaced wing brackets and rubber on Tk#14.
- Put up seasonal road closure signs.
- Put up driveway markers at the Senior Center.
- Removed radio lights and decals from old Tk#10.
- Painted the wheels on the high lift.
- Picked up the 550 from Emerlings after repairs.

- Put plow and wings on Tk#16 and Tk#19.
- Installed new intake pipe on Tk#16.
- Picked up snowblower from Senior Center and repaired.
- Repaired tailgate latch on Tk#14.
- Replaced broken U-bolts on Tk#14.
- Hauled in sand from Gernatt's.
- Washed all trucks inside and out.
- Cleaned office, lunchroom, shop and bathroom.
- Ordered and blended the sand.
- Installed mudflaps and lights on Tk#10.
- Cleaned all floors and drains in the shop.
- Painted plow on Tk#15.
- Cleaned oil room.
- Made list of all chemicals in the shop so we can make new SDS.
- Trimmed some low hanging branches on various roads.

Respectfully Submitted,



Barry A. Edwards,
Highway Superintendent