

TOWN OF CONCORD TOWN BOARD MEETING September 12, 2024
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
 KENNETH KASSEL, COUNCIL MEMBER

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk
 KEVIN RAUTENSTRACH, Deputy Town Attorney
 BARRY A. EDWARDS, Hwy Supt
 LAURA SAFFORD, Deputy Town Clerk
 CAROLYN ROBINSON, Dog Control Officer
 CALEB HENNING, MDA Consulting Engineers

GEORGE DONHAUSER JAMES BIALASIK, SGI Superintendent
ERIC WILLIAMS, Springville Journal OFFICER JEREMY PICKERING
JOHN SCHLEYER JULIE SCHLEYER
STANLEY GRABOWSKI BILL WOOD

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY COUNCIL MEMBER KRZEMIEN

ITEM #1 CONSENT AGENDA

- a) Approval of Minutes:
- (1) Work Session – 8/13/2024
 - (2) Town Board Meeting – 8/13/2024
 - (3) Special Town Board Meeting – Award Bid – 8/27/2024
 - (4) Public Hearing (continuation) RIC Energy – 8/27/2024

Motion by Council Member Drake, seconded by Council Member Krzemien, to approve Consent Agenda, Items 1-4. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

- b) Monthly Reports:
- (1) Code Enforcement Report – August 2024
 - (2) Dog Control Officer Report – August 2024
 - (3) Town Clerk Report – August 2024
 - (4) Judge Frank – August 2024
 - (5) Supervisor Reports – January 2024 to June 2024

Motion by Council Member Krzemien, seconded by Council Member Kassel, to approve Consent Agenda, Items 1-5. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

Motion by Council Member Zittel, seconded by Council Member Drake, to add Item (6) Historian's Calendar of Events. (7) Assessor Report - August 2024, (8) Senior Director Report – August 2024, and (9) Supervisor Report – July 2024, to tonight's Agenda. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

- (6) Historian Calendar of Events
- (7) Assessor's Report – August 2024
- (8) Senior Center Report – August 2024
- (9) Supervisor Report – July 2024

Motion by Council Member Zittel, seconded by Council Member Drake, to approve Consent Agenda, Items 6-9. Council Members Drake, Zittel & Kassel; Supervisor Drozd, voting aye. Carried.

Supervisor Drozd moved New Business (b) North Street School Zone Speed Limit- Supt James Bialasik to be discussed at this point to allow Supt Bialasik and Officer Pickering to get back to the event at the School.

Supt Bialasik noted that he has the pleasure of serving the community as Superintendent of Schools. The reason he and Officer Pickering are here is because last Spring a conversation came up in one of their safety committee meetings where a question arose about a speed zone in front of Springville Elementary School. There are speed zones in front of the other three buildings: Colden, Springville High and Springville Middle. There is a 35-mph speed limit on North Street. Supervisor Drozd had advised them to reach out to Gina Wilkolaski, Erie County Safety Engineer; she explained the process to him and advised that they come to the Town Board and if the Town Board is supportive that it would go Erie County and then the State for the potential change for the school speed zone. Their rationale is that although there is not a lot of pedestrian traffic in front of the Elementary School, there are no sidewalks. There are some students that live on Dowd Road or the trailer park across the street and there are kids playing on the playground. Their teachers and staff do an excellent job keeping students where they are supposed to be but, God forbid, if there may be a student that would find their way out into the road with the 35-mph speed limit, that could cause some real issues. That coupled with the soccer field on North Street; lots of activity on that field both during the school day and after school hours. That is why the school wanted to bring it to the Town Board for consideration. Officer Pickering noted that there are students on that playground and using the soccer field by the Elementary School and butts right up to North Street. There are students who utilize the road either at the beginning of the school day or afterwards. He met with other policing agencies and notes that there are usually one to two traffic stops a day on North Street specifically in the area between Newman and the Children's League; the area that they would be requesting the school speed zone. Just because that is one to two traffic stops a day, doesn't mean that that is just one or two people a day that are driving at that current 35-mph speed limit; during the school day or after. They feel that lowering the speed limit for the student pedestrian traffic and students using the outside facilities would keep them safe. Statistics were provided: When a speed limit is 35-mph and someone gets hit, there is a 45% chance that there may be a fatality in that situation. However, just dropping it 10-mph, to 25-mph, there is a 5% chance that a pedestrian gets struck. Little kids may not know to stay on the side of the road. Also important is that seeing a school zone sign, they feel, will reduce distracted driving which contributes to crashes. Normally when you think of distracted driving you think of cell phones, music, touch screens but kids can be a distraction too. You may not see them and you come around a corner, and there they are. There are bushes there; a ball can go across the road and the kid goes after it. A driver may not see the child in time to react. The School feels that lowering the speed limit would be beneficial to the SGI students and to pedestrian walkers throughout the community that walk in that area as well. Supt Bialasik noted to be clear that there are signs in that area that say school; there is the cross walk sign but they feel that an actual speed zone, lowering of the speed limit, is going to catch people's attention more, cause people to actually slow down; the statistics show that drivers going at a lower speed can obviously avoid any pedestrian in the road or should they unfortunately make contact with a pedestrian, the chance of fatality is significantly less. Just to be clear the ask would be for the Town to consider a school zone from just east of the Children's League to just west of Newman Street. Time parameters may be required; if that is the case, they would be looking for 8 a.m. to 5 p.m. to cover arrival time, dismissal time and it would also cover any of the afternoon practices that take place in that area; this would be Monday through Friday.

Council Member Zittel gave Supt Bialasik a letter signed by some of the residents of North Street and Dowd Road with regard to the possible speed reduction of North Street and would request the Town Board to do a traffic study in the area before changing the speed limit on North Street; the residents feel that if the 35-mph speed limit was enforced, there would be no need to lower the speed limit. Council Member Zittel noted that he wished those residents were here tonight to listen to the information provided; it may make more sense to them if they heard this information. Supervisor Drozd noted that a traffic study would be done first. The School will also be going to the Village Board. North Street is a County-owned Road; one half in front of the school is in the Village limits and the other side is in the Town limits. Both the Village and the Town would need to do a Resolution. Council Member Zittel also noted that a complaint is the number of cars parked on the side of the road. Can anything be done? Is there not enough parking up there? Tonight is a perfect example. There is the Open House event and there is simply not enough parking. Supt Bialasik thinks parking on the road is pretty rare with the exception of events like this. SYI soccer may have some parking on the road but he thinks the vast majority of the parking is behind the Middle School and the Elementary School since parking has been added behind the Middle School. Council Member Krzemien asked about in front of the High School, picking up in the afternoon; there are so many cars that you can't get through there. It's dangerous. When her children were in school, you were allowed to go up front. Buses were in the back. Council Member Kassel advised that there are no parking signs there. Supt Bialasik said buses are still in the back and people can still pull up front. He thinks that there are just that many people picking up students. Supt Bialasik will look into this matter. Officer Pickering said that there are not No Parking signs so as long as they are not in the road, it is technically legal for them to park there. Supervisor Drozd brought up Highway Law and that the Town has a right to change the speed limit, if the Board agrees to that local law. That is one of the benefits of doing this local law that he wants to do.

Council Member Krzemien moved the adoption of Resolution 20, seconded by Council Member Zittel:

WHEREAS, the Town Board of the Town of Concord has received a request from the Springville Griffith Institute to create a school zone speed limit by reducing the speed limit on North Street from just east of The Children's League (located at 393 North Street) to just west of Newman Street from 35 mph to 25 mph; and

WHEREAS, this school zone speed limit should be established for the weekdays, Monday through Friday, from 8 a.m. to 5 p.m. to cover arrival time, dismissal time and any after school activities that take place in the area; and

WHEREAS, North Street is a County of Erie Road located within the bounds of the Town of Concord on the north and the Village of Springville on the south; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Concord approves a request to ask the Erie County Department of Public Works for a traffic study to be done on North Street.

Voting as follows:

Council Member Drake	Aye
Council Member Kassel	Aye
Council Member Krzemien	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

Council Member Krzemien can't believe that there is not a State Law about speed zones at schools. Supervisor Drozd thought maybe this should be brought up to Senator Gallivan and Assemblyman DiPietro. Supt Bialasik will meet with the Village of Springville; Supervisor Drozd will also speak with Mayor Michaels. Supt Bialasik and Officer Pickering thanked the Board and left the meeting.

ITEM #2 RESIDENT CONCERNS

Supervisor Drozd opened the floor for Public Comment:

a) KB Water District – Schleyer 9 Kissing Bridge Lane. Supervisor Drozd advised that the Town received a request from a resident and the Board has been briefed on the water situation at Kissing Bridge Lane. John Schleyer addressed the Board; he lives at 9 Kissing Bridge Lane. He is here with his wife, Julie, and his neighbor Stanley Grabowski. They have lived there for almost 30 years. There are a group of about 11 houses in this small community; built about the time Kissing Bridge was built. Out of the 11 homes there are about 6 that live there full time. The house next to his, who has a shared well with his property, just sold and a new family will be moving in and living there. There has been some traumatic experience with the wells in their area. They are constantly replacing parts; this year has been extremely bad. The Schleyers have been running out of water. When they first moved there, there was talk about Kissing Bridge possibly extending the water system that is currently up there servicing Bridgetop, about 10 homes there. When that development was built, a water system was put in with a series of wells and water treatment facility which he was told is not being used correctly because of usage. Most of the Bridgetop residents are transient, not many are full time. Most of the use is during the ski season so for about 8 months out of the year, those wells are not working; that water system is not working. When Ray Wozniak was working maintenance at Kissing Bridge, he wanted to try to get the Kissing Bridge Lane properties connected to that system so that they would use it and help that system work. For one reason or another that did not happen and since then, they have been limping along with all of their well systems. He had contacted Kissing Bridge about the possibility of looking into this and they advised that it was under the Town of Concord's control. Mr. Schleyer called Supervisor Drozd; there has already been discussion about a development up there, another project; the same thing, that the water system was not being utilized. Mr. Schleyer requested that to help their community survive, if there was anyway that they can get on that water system, they would be very appreciative and it would really alleviate a lot of their issues. They love living there; it is a unique community. They realize they are not the only ones on wells and not the only ones that experience these issues; but this is not fun. They see that there is an opportunity here that is fairly close and might help them and also help the Town's water system.

Supervisor Drozd asked Caleb Henning, MDA Engineers, to speak further on this matter. Mr. Henning advised that he had received Mr. Schleyer's email and looked at the exhibit that was prepared. Mr. Henning dug up an old report that MDA prepared in 2009. The history is that in 2009 when Ray Wozniak was operating the system, it was still a Town-owned district, MDA looked at the system because the Town had received a Petition from all of the homeowners on Kissing Bridge Lane. All owners had signed a Petition requesting permission to connect. MDA had looked into the feasibility to extending the water main so that everyone on Kissing Bridge Lane could be serviced. In that report, MDA confirmed that the 9 homes that are not on public water, those 9 homes are in the Town's water district. A Town water district is strict where you can't serve residents outside the district. The first question is: Are they in the district? Yes. Second question is: Do we have adequate water supply to serve additional people and, at that time, the system was underutilized compared to what it was designed for. They do believe that there is capacity there. The third question is: What would it take? That is where it gets a little bit difficult. There are two homes that are on public water. When MDA looked at it based on how the water system was being operated at the time, they had pretty high-water pressure. They calculated about 130 psi of water pressure and at the time, the water operator was reducing the pressure at the top of the hill to only 15 psi which does not meet standards. A public water system needs to be operated at least 35 psi. When MDA looked at this project, MDA advised that the pressure needed to be

brought up to standards at the top so that would decrease the pressure at the two existing homes by 20 psi. There was over 150 psi at the tap which is too much. 100 psi is the max they would like to see. MDA ultimately recommended that in order to extend water to this area, they would need to build about 1200 feet of 4-inch water main which is the minimum allowed for a public water main like this and they would have to install a pressure reducing valve to control the pressure. At that time in 2009, the total estimated project cost was about \$200,000. He does not think prices have gone down since then; there are times where we can work a smaller deal with a contractor or bid out smaller jobs and get good prices but that is not guaranteed. Mr. Henning did look at Mr. Schleyer's exhibit he had put together and it looks like evaluation-wise from the Google elevation image, that you are over 100 feet lower than the two homes that are on the service so your pressure; he does not think it would be feasible. You would have between 180 and 200 psi, if you just tried to run a pipe down to their house. Mr. Henning noted that ultimately, he thinks this is a good idea; he would just recommend that we try to come up with a solution that can be done as quickly as possible to meet Mr. Schleyer's needs but also meet everyone else's needs. Mr. Schleyer agreed. Mr. Henning noted that the old report reminds us that all the homework was already done and it is just a matter of funding and getting this project underway. It is not a huge project and it doesn't matter whether the Town gets a loan for it now and pays it back over time; all the costs ultimately have to be paid for by the water district; they cannot tax everyone else in the Town to pay for your water district. Any project that is done has to be paid for through revenue generated by water charges. Mr. Schleyer asked if there were any infrastructure grants available for these types of projects. Supervisor Drozd informed him that the Town just received two for the sewer plant consolidation project that is underway right now. Kissing Bridge sewer goes into the Craneridge sewer plant right now. A new plant is being designed for replacement of the Craneridge plant next week. The Town received a Congressional Grant and a State Grant for that project; he is not sure that the Town would be eligible for more since we just got those two grants. His personal opinion is that the Town would be successful to get a grant for that. Mr. Henning noted that there are two separate funding pots for drinking water and clean water; he agrees with Supervisor Drozd that there is probably not a grant money for free money to help pay for this partly because the Town has some projects they are already undertaking and partly because in the grand scheme of things, this is still a pretty small project and a pretty small water district. Mr. Henning said that there is a Rural Water Loan Fund, which is a small loan program which provides funds for water projects that are small in nature and usually have very competitive interest rates. This would allow the Town to do, they would not have to pull the cash right out of the water district fund; but the Town could borrow the money and pay it back over time. As far as getting the project off the dime right now, that Loan program is one of the best opportunities to help get it started and allow the Town to spread the cost out over an estimated 10-year program. The Town would have to put the application in; the Town Board manages that water district and has to do all the legwork for that. Mr. Henning asked about a timeframe. Mr. Schleyer noted that he had some work done a couple weeks ago and brought his well back a little bit; it is a constant maintenance issue that they need to stay on top of it to keep it going. He has a shared well; he has rights to this well. If he wants to sell it, he might have to do his own well. The usage of the shared well has been just mostly their family because the other homeowner was from Canada and she was not there a lot. When people start to use it more, then they ran out. Mr. Henning said that if he was being asked to lay out a reasonable timeframe, he would propose that they design the improvement over the Winter, get it approved at the Health Department level; use that time to get funding in place and any easements that may be needed and then bid it out early next Spring. The less of an emergency situation it appears to be, he thinks the better the prices will be. If there's a little flexibility on time, the Town may be able to put it together in a way to get better prices. That is Mr. Henning's preferred timeline. He thinks it would be almost impossible to get it built before Winter. Mr. Henning said it is not a big project; it could be ready to bid out in February and contractors are looking for work at that time. Mr. Grabowski said that he has owned his home for 16 years now and these were weekend places then; holidays. Grabowski was one of the first full-time residents there. They are probably just tapping the aquifer; neighbors have moved in and put a lot of money into their wells just to have reliable running water. Mr. Grabowski said the neighbors are very much in favor of this. He questioned the flat rate, divided

out? There is not a meter? Supervisor Drozd advised that with the potential development up on the other end, it was brought up to get meters in place so that everyone is paying for what they use vs. a flat rate. A flat rate system is not fair to everyone. MDA can advise different rate structures that may be a little fairer. Supervisor Drozd does not think it would be a monthly meter read; the Town does not have the personnel to do that. He believes the Town will need to bill at least quarterly. If there is a potential leak up there, with quarterly billing the Town would catch it in a quarter. Council Member Zittel noted that this would definitely improve the value of the properties up there. Mr. Henning said that it also centralizes the treatment of the water instead of having to have water softeners or hardness removers at every single home, the bulk of the treatment is happening at the entry point. Supervisor Drozd advised that there is another ground water tank up there. It wasn't open for a number of years and the Town had it opened it by Ehmke Well Drillers and there are stainless steel bolts on it now. They inspected it and it did not see anything wrong with it. They did not do a pressure test on it but there is more room for capacity. Supervisor Drozd asked Mr. Henning to explain the next steps. Mr. Henning's suggestion was that the Town Board could engage their firm to prepare the design for the improvement to NYS standards; Ten State Standards. The design would then be submitted to the Health Department for approval; once it was approved, then the Town would be able to build. At the same time, MDA could provide some assistance in seeking funding. That would position the Town to go out to bid for this project in the Spring. It is hard to get prices, when you don't have plans so that is the first step. Supervisor Drozd asked the Board if anyone had any questions or wanted to make a motion. Mr. Schleyer noted that in the original MDA quote there was a structure for pressure reducing; is that necessary because that was a big part of the cost. Mr. Henning explained that everything needs to be buried. MDA can look into ways to make that more economical. In their proposal, that was \$70,000 and Mr. Henning thinks it may be able to be done for less than that. It could be a safety manhole structure and then the pressure reducing valve has to be installed inside of it. This could be kept simple; it will not be a big heated building. Mr. Henning thinks that that is the place where that item will probably come in lower. The pipe may be higher. Council Member Zittel asked if it would require plastic or stainless? Mr. Henning said that they won't require the material but he would propose plastic. It could be a little bit heavier pressure rating plastic; MDA would also recommend that all 11 homes there have little pressure reducing valves inside their homes so that if something happens with that big valve, the first thing that would blow is their hot water tank. There were no further questions.

Supervisor Drozd asked the Board if anyone would like to make a motion to engage MDA Consulting Engineers for preliminary work. Mr. Henning stated that at this stage, they can run off the preliminary work that was done in 2009 and he thinks they can do the design; he would say to prepare the engineering design for submission to the Health Department for approval. They are at the stage where they could do construction drawings. Motion by Council Member Zittel, seconded by Council Member Kassel, to engage MDA Consulting Engineers to provide engineering services related to the Kissing Bridge watermain extension, as detailed above, for submission to the Health Department for approval. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #3 HIGHWAY DEPARTMENT

a) Hwy Supt Edwards asked the Board to receive and file his Highway Report.

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

ITEM #4 OLD BUSINESS

Supervisor Drozd moved New Business (k) CDBG Senior Center Improvements – Bid Opening to be discussed now so that Mr. Henning would not need to stay for the whole meeting. MDA Consulting Engineers put the bid packet together for this project to go out to bid. Motion by Council Member Drake, seconded by Council Member Zittel, to set the bid opening for October 7th at 10 a.m. with a Pre-Bid Conference on September 26th at 10 a.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Town Clerk Schweikert will have the notice published in the Springville Journal and post on the signboard at the Town Hall and also the Town's website as well as all the CDBG requirements for Minority/Women Business Enterprises.

Mr. Henning provided the Board with the Summary of all Active Projects- Project Status Update Report. A copy is included at the end of the Minutes. Mr. Henning reviewed the items with the Board:

Under General Services:

Library Landscaping. MDA questioned if the Town would like MDA representatives to stop n at the site for a short visit a couple times a week to document construction progress? MDA would stop in for about 15 minutes, about a half hour a week, to check on the progress, talk to the contractor, take pictures and report back to the Town. This would be beneficial to Supervisor Drozd. Motion by Supervisor Drozd, seconded by Council Member Zittel, to approve MDA Consulting Engineers stop at the Library to document the construction progress. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Mr. Henning advised that this would be under their General Services contract with the Town.

Town Water Law and Sewer Law Review. MDA questioned if there was a timeline for this process? Town Clerk Schweikert advised that the Planning Board continues to work on the Town Code Update and will next meet October 1st. Mr. Henning will have Derek Rule complete this review for the Town.

DRYM Management Subdivision. MDA questioned if there is any specific direction from the Town on this project. Supervisor Drozd advised that the Town is waiting for the applicant and their engineer.

Mr. Henning advised that there will be some staff changes at their firm. Derek Rule has accepted a position with the Village of Arcade.

a) KBCRWWTP Update- Supervisor Drozd informed the Board that a letter has been sent to the President of Ridgeview working on an easement for the Ridgeview Pump Station project.

ITEM #5 NEW BUSINESS

a) Audit of the Bills – Council Member Kassel audited the Bills this month.

Year 2024 Abstract 9:
General Fund A, Abstract 9, \$42,962.17
General Fund B, Abstract 9, \$3,832.74
Library Fund, Abstract 9, \$47.87
Fire Protection, Abstract 9, \$4,875.25
Joint Van, Abstract 9, \$382.67
Joint Youth, Abstract 9, \$2,000.00
Craneridge Lighting, Abstract 9, NONE
Craneridge Sewer, Abstract 9, \$8,475.54
Highway DA, Abstract 9, NONE

Highway DB, Abstract 9, \$78,331.19
Kissing Bridge Water, Abstract 9, \$530.53
Kissing Bridge Sewer, Abstract 9, \$2,073.29
Trevett Rd. Water, Abstract 9, NONE
Cattaraugus St. Water, Abstract 9, NONE
Trust & Agency, Abstract 9, NONE
Capital (HA) C. Sewer, Abstract 9, NONE
Capital (HB) Land, Abstract 9, NONE
Capital (HD) Catt St, Abstract 9, NONE
Capital (HE) Sr. Ctr, Abstract 9, NONE
Capital (HF) Hwy Equip, Abstract 9, NONE
Capital (HG) Waste Study, Abstract 9, NONE
Capital (HI) KB CR WWTP, Abstract 9, \$116.36

Motion by Council Member Kassel, seconded by Council Member Krzemien, to approve the bills as presented. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

b) North Street School Zone Speed Limit – This matter was moved up on the Agenda and discussed before Resident Concerns.

c) NYS Retirement Standard Work Day Resolution – The Town Clerk has been working with NYS Retirement to update our filings. Supervisor Drozd advised that the Standard Work Day Resolution for Employees will report the Standard Work Day for all Town Employees as 8-hour Standard Work Days.

Council Member Zittel moved the adoption of Resolution 21, seconded by Council Member Kassel:

WHEREAS, the Town Board of the Town of Concord acknowledges that the Town has employees, both part time and full-time, participating in the NYS Retirement System, and

WHEREAS, the Town Board has elected to set a Standard Work Day for the NYS Retirement System of eight (8) hours per day for all Town of Concord employees,

NOW, THEREFORE, BE IT

RESOLVED, that this Standard Work Day will be used to calculate the time to be credited for all Town of Concord Employee's days worked on a monthly NYS Retirement Report.

Voting as follows:

Council Member Drake	Aye
Council Member Kassel	Aye
Council Member Krzemien	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

Council Member Zittel moved the adoption of Resolution 22, seconded by Council Member Kassel:

STANDARD WORK DAY AND REPORTING RESOLUTION

BE IT RESOLVED, that the Town of Concord, Local code 30252, hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

ELECTED OFFICIALS:

Darlene G. Schweikert, Town Clerk; Term 01/01/2022-12/31/2025. Standard Work Day 8, ROA Result: 22.23; Pay Frequency: Bi-Weekly

Barry A. Edwards; Town Hwy Supt; Term 01/01/2022-12/31/2025. Standard Work Day 8, ROA Result: 22.50; Pay Frequency: Bi-Weekly

Kiimberly Krzemien, Council Member; Term 01/01/2022-12/31/2025. Standard Work Day 8, ROA Result: 1.99; Pay Frequency: Monthly

Timothy Frank, Town Justice; Term: 01/01/2024-12/31/2027, Standard Work Day 8, ROA Result: .97; Pay Frequency: Monthly

Leslie Gibbin, Town Justice; Term: 01/01/2022-12/31/2025; Standard Work Day 8, ROA Result: 3.27; Pay Frequency: Monthly

Kenneth Kassel, Council Member, Term 01/01/2024-12/31/2027; Standard Work Day 8, ROA Result: .62; Pay Frequency: Monthly

Stephanie A. Bacon, Deputy Town Clerk; Term: 01/01/2024-12/31/2025; Standard Work Day 8; ROA Result: 18.97; Pay Frequency: Bi-Weekly

Rachel E. Watz, Bookkeeper; Term: 01/01/2024-12/31/2025; Standard Work Day 8; ROA Result: 20.67; Pay Frequency: Bi-Weekly

Benjamin Slotman, Sewer Operator; Term: 01/01/2024-12/31/2025; Standard Work Day 8; ROA Result: 4.65; Pay Frequency: Bi-Weekly

Joseph R. Edbauer; Planning Board Chair; Term: 01/01/2022-12/31/2028; Standard Work Day 8; ROA Result: 1.41; Pay Frequency: Monthly

James Jozwiak; Planning Board Member; Term: 01/01/2021-12/31/2027; Standard Work Day 8; ROA Result: .33; Pay Frequency: Monthly

Bruce Luno; Planning Board Member; Term: 01/01/2020-12/31/2026; Standard Work Day 8; ROA Result: .30; Pay Frequency: Monthly

Julie Zybert; Planning Board Member; Term: 01/01/2024-12/31/2030; Standard Work Day 8; ROA Result: .29; Pay Frequency: Monthly

Voting as follows:

Council Member Drake	Aye
Council Member Kassel	Aye
Council Member Krzemien	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

d) Set additional 2025 Budget Work Session Dates - Motion by Supervisor Drozd, seconded by Council Member Zittel, to set the date of Wednesday, September 18th at 8 a.m. for a 2025 Work Session to be held in the Conference Room. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Supervisor Drozd advised that if more Work Sessions are needed, dates will be scheduled at that time.

e) Set Public Hearing Community Development Block Grant - Supervisor Drozd advised that there may be funding available for improvements to the restroom at Concord Community Park. Motion by Council Member Drake, seconded by Council Member Zittel, to set the Public Hearing for the Community Development Block Grant for Thursday, October 10th at 6:15 p.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Town Clerk Schweikert will have the notice published in the Springville Journal and post on the signboard at the Town Hall and also the Town's website.

f) Set Public Hearing Local Law to Override Tax Cap - 10/10/24 at 6:30 p.m. Motion by Council Member Krzemien, seconded by Council Member Drake, to set the Public Hearing for the Tax Cap for Thursday, October 10th at 6:30 p.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Town Clerk Schweikert will have the notice published in the Springville Journal and post on the signboard at the Town Hall and also the Town's website.

g) Set Special Town Board Meeting – Present Tentative 2025 Budget – Motion by Supervisor Drozd, seconded by Council Member Zittel, to set the Special Town Board Meeting to present the Tentative 2025 Budget for Thursday, October 3rd at 9:00 a.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Town Clerk Schweikert will have the notice published in the Springville Journal and post on the signboard at the Town Hall and also the Town's website.

h) 30 Day Agricultural Notice - Agricultural District Annual Enrollment - This Notice is also posted in the Bulletin Board at the Town Hall and the town's website.

PUBLIC NOTICE

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerk's, Assessors and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

Contact Information:
Sarah Gatti, Senior Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-6014
Fax: (716) 858-7248
Email: agriculture@erie.gov

i) Hwy Department – Truck Purchase – Hwy Supt Edwards advised that the truck that had been ordered previously is now bumped out to January 2026. The department has put \$33,999 into the two 550's this year alone; they need to be replaced. He received three bids for a new 5500 and he had a letter from Valley Fab noting that they would schedule the box and wing to be built/completed by no later than the end of July 2025. He reminded the Board that it took 18 months to get the box and wing for the last truck; the owner of Everest Equipment apologized for the delays and guaranteed that the Town will have the equipment in four months. In February 2023 Valley Fab had quoted \$97,550 for the box and wing to be built; in August 2024 Valley Fab now quoted \$94,650 because they feel bad about the delays. The Town will be selling Truck #15 and the two 550's.

Hwy Supt Edwards received three bids for a new 5500: West Herr \$73,724; Emerling \$73,995 and Rock City \$72,153. His recommendation is to proceed with the low bidder, Rock City. Motion by Council Member Zittel, seconded by Council Member Kassel, to award the bid to Rock City in the amount of \$72,153. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

j) Accept South Hill Road from Erie County Resolution – This was discussed earlier this evening during Work Session. Last year Supervisor Drozd met with William Geary, Commissioner of Erie County Department of Public Works, to discuss the possibility of the Town taking over South Hill Road. Supervisor Drozd thinks that the Town should work with the County. Council Member Zittel commented that the County is on the move to turn roads over to Towns. Highway Supt Edwards is not in favor of taking over South Hill Road; doesn't see the advantage to the Town. Council Member Zittel questioned why the Town would take over the road and commented that "it was pretty much a done deal" when Supervisor Drozd met with the County. Supervisor Drozd noted that taking over South Hill Road adds to the Town of Concord's road mileage for CHIPS, PAVE-NY, EWR and POP; this funding comes from road mileage. Supervisor Drozd also noted that the Town does not know what will happen with the Plow Contract. Hwy Supt Edwards said that the Town should never consider taking over Abbott Hill Road.

Supervisor Drozd moved the adoption of Resolution 23, seconded by Council Member Drake:

WHEREAS, during recent discussions with the Erie County Department of Public Works (ECDPW), the ECDPW has requested that the Town of Concord consider taking over ownership of South Hill Road from the Town of Colden line to the intersection of Abbott Hill Road, a distance of 0.385 miles; and

WHEREAS, the County of Erie has completed the necessary highway improvements to said section of South Hill Road to the satisfaction of the Superintendent for the Town of Concord;

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby accepts the entire 0.385 miles of South Hill Road from the Town of Colden line to the intersection of Abbott Hill Road, as part of the town highway system; and

BE IT FURTHER RESOLVED, that the Town Supervisor and the Town Highway Superintendent are hereby authorized to execute any and all documents necessary to effectuate this transfer of the referenced section of South Hill Road to the Town of Concord, effective October 1, 2024.

Voting as follows:

Council Member Drake	Aye
Council Member Kassel	Aye
Council Member Krzemien	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

k) CDBG Senior Center Improvements – Bid Opening – This matter was moved up on the Agenda and discussed at Old Business.

Supervisor Drozd advised that (1) Accept Resignation of Robert Adler, Library Board of Trustees, be added to the Agenda. Motion by Council Member Drake, seconded by Council Member Krzemien, to add (1) Accept Resignation of Robert Adler, to tonight's Agenda. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

1) Accept Resignation of Robert Adler, Library Board of Trustees – Robert Adler tendered his resignation from the Hulbert Library Board of Trustees, effective September 1, 2024. Motion by Council Member Drake, seconded by Council Member Zittel, to accept the resignation of Robert Adler. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Supervisor Drozd advised that the Library Board is looking for more Trustees. There are six Trustees now; the minimum is five. State capacity is nine. Up to three more are needed; one at least right now.

ITEM #6 COUNCIL MEMBER NOTES

a) Council Member Krzemien:

(1) Reminded the Board that the Mortons Corners Fire Department's Meat Raffle is September 21st.

(2) She attended the Countywide Assessment Meeting. This appears to be moving forward.

(3) She has been in communication with a family who wants to do a burial on their property and has been researching this matter. New York State advised that this is a bad practice.

b) Council Member Zittel:

(1) Reminded the Board that the East Concord Fire Department will be having a Great Pumpkin Pull Off Tractor Pull on September 21st. Proceeds will be going to the Children's League. The fire department will be hosting other events fundraising for the Children's League because the League did not have their Night Under the Stars event this year.

(2) There is a Celebrate the 100th Anniversary of the New York State Parks event at Beaver Island State Park on September 22nd.

c) Supervisor Drozd:

(1) He attended the Supervisor's Meeting where the Countywide Assessing was discussed. It was mentioned, and he is not sure if it is true, but because the Town of Concord changed their elected Assessor to an appointed Assessor, that the County could now go through with Countywide Assessing. Concord was the last Town with an elected Assessor.

ITEM #7 EXECUTIVE SESSION

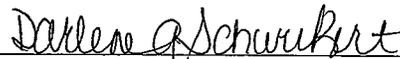
Supervisor Drozd advised that an Executive Session will be necessary to discuss a personnel issue. Motion by Supervisor Drozd, seconded by Council Member Drake, to go into Executive Session at 8:22 p.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

Motion by Supervisor Drozd, seconded by Council Member Krzemien, to come out of Executive Session at 8:36 p.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #8 MOTION TO ADJOURN

Motion by Supervisor Drozd, seconded by Council Member Zittel, and passed unanimously, to adjourn the meeting at 8:37 p.m. in memory of:

Charles A. Reeves
Marc D. Lewis
Judith A. Orsini
Lois M. Huckabone
Clarence J. Diebold
Mary Lou Chappell
Margaret Brown
Judith K. Bicknell
Florence K. Omphalius
Barry O. Wallace



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 August 13, 2024 to September 9, 2024.

With twenty-eight days in this period the Highway Department

- The men did much needed work on the Town Park tractor.
- Continue to blend salt and sand.
- Hauled sand from Chaffee to highway barn.
- Continue to mow cemeteries, Town Park, and Senior Center lawns.
- Worked on roofs at the Town Park.
- Picked up TK#11 from Fleet Maintenance.
- Changed oil tank on TK#15.
- Changed mudflaps on both 550's.
- Cut trees on Kaiser Road.
- Continue ditching on Kaiser Road.
- Cleaned out Town Park building.
- Picked up from Town roads a few dead deer and disposed of them at the County dump.
- During the heavy rain had 2 of the men out checking the Town roads.
- Picked up steel from the House of Steel for the pump house at the Town Park.

- Picked up 55-gallon drum of DEF from Larry Romance.
- Cleaned up down trees on Old Glenwood Road.
- Cleaned shop drains.
- Finished putting metal on pump house at the Town Park.
- Did multiple mark outs for UDIG.
- Mowed the Town Park 2 times.
- Picked up new tires and rims for both 550's.
- Put gas filter on TK#11.
- Continue to mow road shoulders.
- Washed roadside tractor.
- Cleaned front shop.
- Moved pipe to Kaiser Road.
- Loaded light roller on trailer for culvert replacement.
- Replaced 2 cross culverts on Kaiser Road; one was 48" and the other was 15".
- Put gutter guards on snack shack.
- Replaced fuel line and fuel pump on the JX90U tractor.
- Mowed cemeteries.
- Saw cut road for cross road crossing.
- Hauled stone to Pritchard Road for repave.
- Removed bucket from bucket truck for repair work.
- Hauled 2 loads of oversized stone to Kaiser Road for the beginning and end of culvert pipe.
- Cleaned both 550's.
- Cleaned break room and office.
- Installed new culvert line on Transit Line Road.
- Cleaned ditch on Morton Road.

Respectfully Submitted,



Barry A. Edwards,

Highway Superintendent

Town of Concord
Summary of all Active Projects - Project Status Update
September 12, 2024 - Town Board Meeting
Prepared: September 12, 2024

22033 – CR and KB Preliminary Engineer’s Report Update

- EFC has emailed another round of comments after personnel change-over
- We are preparing a response to this after speaking with Liz Ricci, PE from EFC
- This is necessary before short term closing can occur

23031 – Craneridge SD Pump Station abandonment

- Waiting for Contractor to submit a change order proposal
- Waiting for HOA agreement on new grinder pump placement

23032 – PHASE 1 - Kissing Bridge WWTP decommissioning and New Pump Station

- Work is complete

23032 – PHASE 2 – Craneridge Replacement WWTP

- Waiting on MWBE Utilization Plan/Waiver Approval
- We are ready to start the Design Phase, but want to make sure the Engineering Contract (including MWBE Utilization Plan) is in order with the funding agency

24030 – General Services

- Lead Service Line – Cattaraugus Street Water District
 - LSLI Completed, sent to Town
- Lead Service Line – Bridgetop Subdivision Water District
 - LSLI Completed, sent to Town
- Library Landscaping – Front End Contract Documents
 - Available during Construction as needed
 - Does the Town want MDA to stop in for a short visit a couple times per week to document construction progress?
- Town Water Law and Sewer Law Review
 - MDA to work on revisions for Town Planning Board
 - Is there a preferred timeline for this process?
- RIC Solar application review
 - Waiting on response from developer
 - Will forward EAF Part 2 for review
- DRYM Management Subdivision
 - Is there specific direction from the Town on this project?

Town of Concord - Project Summary Sheet

- Senior Center Improvements and Garage
 - Bidding Package is completed
 - Includes Appendix A from CDBG
 - Engineering Drawings were sent to Town this week for review
 - Painting, p. 2
 - Sidewalk, p. 2
 - Rodent guard/landscaping, p. 2
 - New Garage Site, swale routing, electric routing, p. 2
 - Trench Drain, p. 2
 - Details and general notes, p. 3
 - Garage Section, foundation detail, shearwall detail, bracing detail, p. 4
 - Lighting and electrical schematic, p. 4
 - Elevation views, p. 5
 - Target publish Date 9/19
 - Prebid meeting 10/7 at 10am
 - Open Bids 10/7 at 10am
 - Award Contract 10/10

Please contact me via phone or email with any questions or comments regarding this update or our service.

Respectfully,
Caleb Henning, MBA, PE | Partner/Project Manager