

TOWN OF CONCORD TOWN BOARD MEETING      April 9, 2026  
6:00 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,  
at 6:02 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:    LAURA SAFFORD, Town Clerk  
                          LARRY HEIM, Hwy Supt.  
                          BRIAN F. ATTEA, Town Attorney

Peter Sorgi	Jacob Kelley
Caleb Henning	Eliana Kelley
Stan Grabowski	Carolyn Robinson
Karen Kelley	Jessie Richards
Mikayla Kelley	Daniel Richards
Vincent Roberts	Eliana Richards
Gene Majchrzak	

INVOCATION DELIVERED BY TOWN CLERK SAFFORD

PLEDGE TO THE FLAG LED BY COUNCIL MEMBER KRZEMIEN

ITEM #1      COMMUNITY ENGAGEMENT TEAM

Deputy Malican gave his report-In the month of March, the Sheriff's office handled 177 calls for service, conducted 196 premises checks, had 41 traffic stops and 7 arrests.

ITEM #2      CONSENT AGENDA

- a) Approval of Minutes:
  - (1) Bid Opening Spring Trash Pickup 3/6/26
  - (2) Work Session – 3/12/2026
  - (3) Town Board Meeting – 3/12/2026

Motion by Council Member Drake, seconded by Council Member Zittel, to approve Consent Agenda, Items 1-3. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

- b) Monthly Reports:
  - (1) Code Enforcement Report – March 2026
  - (2) Dog Control Officer Report – March 2026
  - (3) Town Clerk Report – March 2026
  - (4) Senior Director Report – March 2026
  - (5) Judge Frank Report-March 2026
  - (6) Judge Gibbin Report-March 2026
  - (7) Assessor's Report – March 2026
  - (8) Supervisor's Report- March 2026

Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve Consent Agenda, Items 1-8. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

Town Attorney Attea addressed Peter Sorgi at this point in the meeting, letting Mr. Sorgi know that there were a few sections of the agenda to go through before the

Board got to RIC Energy. He informed Mr. Sorgi that the Board was not going to be in a position to vote on the RIC Energy matter this evening because they still have some things to go over together, and they are open to having a Special Meeting if need be. Mr. Sorgi asked what still needs to be discussed, and if there is any information that the Board needs from him. Town Attorney Attea told him nothing is needed from him at this time, and he will let Mr. Sorgi know if anything is needed later. The Board has a few more things to review with Caleb Henning from MDA. Mr. Sorgi asked when a Special Meeting will be held, and Town Attorney Attea will give him a date if one is set. Mr. Sorgi informed the Board that timing wise they are months past the time for legal requirement for a vote. Supervisor Drozd responded that he just received the figures for the Host Agreement last Wednesday. Mr. Sorgi asked if there was going to be any further discussion about his project this evening, and Supervisor Drozd told him no.

ITEM #3      RESIDENT CONCERNS

Supervisor Drozd opened the floor for Public Comment. Stan Grabowski, from 4 Kissing Bridge Lane, is looking for any update on when the water main project will begin and end. Caleb Henning let him know that the contractor is planning on starting the first week in May. The contractor has another job that he is scheduled to begin working on in July, and he wants to be finished with the water main project before then. Mr. Grabowski asked if there was anything else needed from Kissing Bridge-Mr. Henning stated that he has been in contact with Rhett McNulty from KB and there is nothing needed at this time. Mr. Grabowski said that the contractor had originally written out and marked a line that cut across his lot, and he heard that the contractor had been given permission by the Town to move over off of his property and run it down the road. He questioned if Mr. Henning had gone to the property and approved the move-Mr. Henning answered no. Mr. Grabowski also informed the Board that his two properties have now been combined into one. Mr. Henning said that there has been some discussion about sending out a notice to the property owners, since there is some responsibility that the owners will have to connect to the service line. The Town's contractor is not going to run a line into the houses. Mr. Henning and Mr. Grabowski then discussed the size of the trench needed, the ditch work, and if there was going to be someone from the Town checking regularly on the project-yes. Mr. Grabowski is going to be on site for the duration of the project, and he would like to make sure that if there is going to be equipment on his property that everything is all set with insurance, etc. Supervisor Drozd and Mr. Grabowski discussed contractors for the work the homeowners need to do themselves for this project, and in the letter that will go out to the homeowners Supervisor Drozd will list six to eight local contractors that can do this type of work.

Carolyn Robinson thanked the Town for the retirement luncheon that was given for her last month. Supervisor Drozd and the Board thanked her for her service and for all of the help that she has given to the current DCO.

Vincent Roberts from the Springville Bombers spoke about getting ready for the baseball and softball season. He stated that the club wants to do their part to help with the baseball fields.

ITEM #4      HIGHWAY DEPARTMENT

a) Hwy Supt Heim went over his Highway Report for March 2026.

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

ITEM #5      OLD BUSINESS

a) KBWWTP – Supervisor Drozd updated the Board on this project during Work Session earlier this evening. Town Board Attea had reviewed the agreement with Mr. Henning, and the attorney for Kissing Bridge requested changes. Those changes have been made, and Kissing Bridge should hopefully sign this soon. Caleb Henning spoke about the design of the new waste water treatment plant. There

have been a few things holding them up-the railroad was not responding to attempts at communication, and the original property survey that was received showed that the railroad right of way was infringing on the property that the Town has for the plant. There has been progress over the past few weeks with both of those. The original survey has been looked at again by the surveyor based upon information provided by the railway, and he modified the survey. The Town does have the land needed for this project. Mr. Henning also stated that there had been some communication recently with the DEC-they know that MDA is awaiting information from them that is affecting the project schedule, and they are going to get back to them as soon as possible. At this point the DEC has not gotten back to MDA on the discharge permit for the WWTP. After the design is complete, the whole engineering design will have to be submitted to the DEC for review and approval. Supervisor Drozd asked Mr. Henning how long it might take to get this done, and he doesn't know how long the DEC will take to do their part. It will probably be months. Mr. Henning told the Board that the new plant is going to be designed with a tank at the front end with a pump station to help accommodate peaks in the flow coming in, and the tank is also going to double as a grit settling chamber. Supervisor Drozd replied that there are some areas in Crane Ridge that are having infiltration issues and would like to have some smoke testing done to see what is coming out, and Mr. Henning said that smoke testing or camera work would be helpful.

b) RIC Energy-This was discussed before Resident Concerns. Attorney Attea spoke with Mr. Sorgi when he left the meeting earlier, and Mr. Sorgi is requesting a Special Meeting between now and the May 2026 Town Board Meeting to address the vote on the Special Use Permit, understanding that there might still be things that need to be negotiated on. He would like this since the Town is past the statutory deadline for the response, and told Town Attorney Attea that his client might feel compelled to bring some type of action against the Town. Supervisor Drozd replied that the Town is technically in negotiations with them for a Host Agreement, and would like to sit down with someone from RIC Energy to discuss these negotiations. The Board discussed setting a date for a Special Town Board meeting, and decided on April 28<sup>th</sup> at 7pm. The purpose of the meeting will be to consider a vote on the Special Use Permit for the RIC Energy project. If the negotiations are not successful, the meeting can be cancelled.

Motion by Council Member Krzemien, seconded by Council Member Kassel, to hold a Special Town Board meeting on April 28, 2026. Council Members Drake, Krzemien & Kassel; Supervisor Drozd, voting aye. Council Member Zittel abstained. Carried.

ITEM #6     NEW BUSINESS

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

Year 2026 Abstract 4:

General Fund A, Abstract 4, \$35,266.67  
General Fund B, Abstract 4, \$31.25  
Joint Van, Abstract 4, \$660.76  
Craneridge Sewer District, Abstract 4, \$5,014.75  
Craneridge Sewer Project, Abstract 4, \$5,303.00  
Highway DB, Abstract 4, \$12,969.70  
Kissing Bridge Water, Abstract 4, \$1,480.36  
Cattaraugus St. Water, Abstract 4, \$4,518.80

Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the bills as presented in Abstract 4. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

b) Retirement ROA – Town Clerk Safford, Deputy Town Clerk Dell and Highway Supt. Heim completed their three-month Record of Activities.

Council Member Krzemien moved the adoption of Resolution 3, 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:

Laura Safford, Town Clerk; Term 01/01/2026-12/31/2028. Standard Work Day 8, ROA Result: 22.03; Pay Frequency: Bi-Weekly

Larry Heim; Town Hwy Supt; Term 01/01/2026-12/31/2028. Standard Work Day 8, ROA Result: 24.69; Pay Frequency: Bi-Weekly

Kimberly Krzemien, Council Member; Term 01/01/2026-12/31/2028. Standard Work Day 8, ROA Result: 1.99; Pay Frequency: Monthly

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

Timothy P. Frank, Town Justice; Term: 01/01/2024-12/31/2027; Standard Work Day 8; ROA Result: 2.79; Pay Frequency: Monthly

Leslie J. Gibbin; Term: 01/01/2026-12/31/2028; Standard Work Day 8; ROA Result: 5.58; Pay Frequency: Monthly

APPOINTED OFFICIALS

Michelle Dell, Deputy Town Clerk; Term: 12/15/2025-12/31/2026; Standard Work Day 8; ROA Result 19.65; Pay Frequency: Bi-Weekly

Brian Attea, Town Attorney; Term: 01/01/2026-12/31/2026; Standard Awork Day 8, ROA Result 1.26; Pay Frequency: Monthly

Benjamin Slotman, Sewer Operator; Term: 01/01/2026-12/31/2026; 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

Guy Marlette; Planning Board Member; Term: 12/12/24-12/31/2029; Standard Work Day 8; ROA Result: 1.34; 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.

- c) Approve 2026 Employee Manual- There are still some changes that the Board would like to make, so this item will be tabled until the May meeting.
- d) Approve DCO to attend 2026 Town of Webster Dog Control Conference- Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve DCO's attendance. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- e) Approve new prices for Eden Valley Vet Clinic- Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve the new prices. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- f) Twelve Springs Church Request to continue using Town Hall- Motion by Council Member Drake, seconded by Council Member Zittel, to approve the church's use of the Hall. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- g) Approve 2026 Spring Trash Bid- Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve the bid from MRC. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- h) Concord Garden Club request for the 10<sup>th</sup> annual Garden Walk- Motion by Council Member Krzemien, seconded by Council Member Kassel, to approve the Garden Club's request. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- i) Appoint Keith Herbst, Court Officer- Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve the appointment of Keith Herbst as Court Officer, at the same rate of pay as the current Court Officer. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- j) Appoint Dennis Sullivan Van Driver- Motion by Council Member Drake, seconded by Council Member Kassel, to approve Dennis Sullivan as Van Driver. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- k) Approve Facilities Use Agreement- Motion by Council Member Krzemien, seconded by Council Member Kassel, to approve Facilities Use Agreement. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- l) Approve Hwy. Supt. Heim to attend Cornell Highway Training in Ithaca 5/31/26-6/3/26- Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve Hwy. Supt. Heim's attendance at the training. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- m) Extend leave of Absence for CEO Manchester-unpaid until 5/9/26- Motion by Council Member Drake, seconded by Council Member Zittel, to approve extension of CEO Manchester's unpaid leave of absence. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.
- n) Approve shade attachment for Hulbert Library- Motion by Council Member Drake, seconded by Council Member Krzemien, to approve the shade attachment at the library. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

Motion by Council Member Drake to add o to the agenda , Adding Town Hall to a list of possible venues for the NYS Association of Towns grant workshop, seconded by Council Member Zittel. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

o) Adding Town Hall to a list of possible venues for the NYS Association grant workshop. Motion by Council Member Kassel, seconded by Council Member Krzemien, to approve adding Town Hall to the list. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #7      COUNCIL MEMBER NOTES

Council Member Krzemien informed the Board that the Southtowns Bark Park is having a disc golf tournament on April 25<sup>th</sup> at Town Park. There is also a volunteer community day of cleanup at Fairview Cemetery that same day.

Council Member Zittel spoke about the East Concord Fire Departments installation dinner being held on April 11, 2026, and chief council for East Concord will be April 21<sup>st</sup>. The Southtowns Planning and Development Group will be meeting on April 27<sup>th</sup> at Auggies in Hamburg.

Council Member Drake spent three days last week interviewing for the new executive director for the Southtowns Rural Preservations Society, and the person that was hired is from Hamburg but worked for 19 years at St. Bonaventure.

Supervisor Drozd said that FASNY is having their state wide convention this year at Holiday Valley in Ellicottville August 19-22.

ITEM #8      EXECUTIVE SESSION

Supervisor Drozd advised that an Executive Session will be necessary to discuss a personnel matter. Motion by Council Member Drake, seconded by Council Member Zittel, to go into Executive Session at 7:20 p.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

Motion by Supervisor Drozd, seconded by Council Member Drake, to come out of Executive Session at 8:05 p.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #9      MOTION TO ADJOURN

Motion by Supervisor Drozd, seconded by Council Member Zittel, and passed unanimously, to adjourn the meeting at 8:07 p.m. in memory of:

Nelson Roth  
Albert Meister, Jr.

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Laura Safford  
Town Clerk