

TOWN OF CONCORD TOWN BOARD MEETING
7:00 p.m.

April 11, 2019

MEETING CALLED TO ORDER BY CLYDE M. DRAKE, SUPERVISOR.

PRESENT: CLYDE M. DRAKE, SUPERVISOR
JAMES M. KREZMIEN, COUNCILMAN
KENNETH D. ZITTEL, COUNCILMAN
PHILIP DROZD, COUNCILMAN

EXCUSED: WILLIAM F. SNYDER, III, COUNCILMAN

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk
KEVIN R. RAUTENSTRACH, Deputy Town Atty
DENNIS M. DAINS, Hwy Supt
CAROLYN ROBINSON, Dog Control Officer

GEORGE DONHAUSER MAX BORSUK, Springville Journal
MARY JANE MIESS JOHN MIESS
BARRY EDWARDS ALEX SIMMONS, Springville Times
ANDREA SIMMONS

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DRAKE

ITEM #1 APPROVAL OF MINUTES

a) Work Session – 3/14/2019 – Motion by Councilman Zittel, seconded by Councilman Krezmien, to approve the minutes as presented. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

b) Town Board Meeting – 3/14/2019 – Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the minutes as presented. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

c) Spring Trash Bid Opening – 4/1/2019 – Motion by Councilman Drozd, seconded by Councilman Zittel, to approve the minutes as presented. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

ITEM #2 PUBLIC COMMENT

Supervisor Drake thanked those in attendance for coming tonight and opened the floor for Public Comment.

1. DCO Robinson noted that the donated freezer has been working well. Hwy Supt Dains checks the freezer once a week.

No one else wished to address the Board. Motion by Councilman Krezmien, seconded by Councilman Zittel, to close Public Comment. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

ITEM #3 MONTHLY REPORTS

Supervisor Drake made a few highlights on the filed reports:

a) Code Enforcement Officer – March 2019. There were nine building

permits issued; there are currently seven new homes and 16 significant additions or renovations being regularly inspected and monitored.

b) Dog Control Officer – March 2019. Fifteen Summonses were served; two dogs were picked up and returned to owners; multiple phone calls made and dog census will be conducted.

c) Town Clerk Report – March 2019. Birth and death certificates, building permits and dog licenses generated most of the revenue.

d) Judge Frank Report – February 2019. \$10,230 in fines were turned over to the Town.

e) Judge Gibbin Report – February 2019. \$9,004 in fines were turned over to the Town.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the Monthly Reports, Items a-e. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

f) Highway Report - Hwy Supt Dains read his filed report. Additions to his report included:

1) Bids for Sterling truck on Auctions International will close on Monday, April 15th and there will be a Special Town Board meeting on April 16th to approve the sale of the Truck.

2) Two items on his report will be addressed under New Business: Agreement to Spend Funds and Surplus Equipment.

3) Hwy Supt Dains thanked his department for the work they do on the roads in the Winter. It was a difficult year with a few major snowstorms where it was heavy and wet. Both the full time MEOs and part time MEOs that are brought in to facilitate the first and second shifts, those guys did a great job this year. Supervisor Drake noted that the department is also working a man short.

Motion by Councilman Krezmien, seconded by Councilman Zittel to accept the Highway Department Report. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

g) Fire Department Report – Councilman Drozd reported that the Springville Volunteer Fire Department:

1) Continues to work on the car show, vendor/craft show which is scheduled for July 21st at Firemen's Park.

2) The department currently has a Tool Raffle going on.

3) The annual Chicken BBQ is this Sunday, April 14th starting at 11 a.m.

4) Supervisor Drake noted that last Saturday members attended the Mortons Corners Fire Company Installation dinner. The event was well attended and a nice get together. This Saturday, April 13th is the East Concord Fire Department Installation dinner.

Motion by Councilman Krezmien, seconded by Councilman Zittel to accept the Fire Department Report. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

ITEM #4 OLD BUSINESS

There was nothing for Old Business.

ITEM #5 NEW BUSINESS

Supervisor Drake asked the Board for a motion to add additional items to the Agenda: (i) Set Public Hearing Date for National Flood Insurance Program Local

Law, (j) Appoint Affirmative Action Officer, (k) Appoint New Cleaner, (l) Senior Center Generator final payment, (m) Street lighting and (n) Special Town Board Meeting.

a) Audit of the Bills – Supervisor Drake stated that these bills were audited by Councilman Krezmien, and reviewed by the Board.

General Fund A, abstract 4, bills 295-352 & 405-410; \$43,796.73
 General Fund B, abstract 4, bills 353-357 & 411; \$503.70
 Library Fund, abstract 4, bills 358-361; \$648.97
 Fire Protection, abstract 4, NONE
 Joint Van, abstract 4, bills 362-364; \$749.92
 Joint Youth, abstract 4, bill 365; \$204.75
 Craneridge Lighting, abstract 4, bill 412; \$1,666.90
 Craneridge Sewer, abstract 4, bills 366-374; \$6,365.08
 Highway DA, abstract 4, NONE
 Highway DB, abstract 4, bills 375-397; \$21,638.60
 Kissing Bridge Water, abstract 4, bills 398-401; \$722.88
 Kissing Bridge Sewer, abstract 4, bills 402-404; \$4,018.45
 Trevett Rd. Water, abstract 4, NONE
 Cattaraugus St. Water, abstract 4, NONE
 Trust & Agency, abstract 4, NONE
 Capital (HA) Craneridge Sewer, abstract 4, NONE
 Capital (HB) Land, abstract 4, NONE
 Capital (HD) Catt St, abstract 4, NONE
 Capital (HE) Sr. Ctr, abstract 4, NONE
 Capital (HF) Hwy Equip, abstract 4, NONE
 Capital (HG) Waste Study, abstract 4, NONE

Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the bills as presented. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

b) Award Spring Trash Bid – Supervisor Drake noted that two sealed bids had been received. Waste Management was the lowest bidder at \$13,000.00. The second bid was MRC Disposal in the amount of \$15,125.00. Motion by Councilman Krezmien, seconded by Councilman Zittel, to award the Spring Trash Pickup to Waste Management for \$13,000.00. Councilman Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

The Town-wide Spring Trash Pick Up will begin Monday, May 13th. Town Clerk Schweikert will contact Waste Management to review the display ad and then advertise in the Springville Times and put the information on the Town's signboard and website.

c) Award Mowing Bid – Supervisor Drake had received four RFPs for the mowing of Spaulding Road, East Concord and Mortons Corners Cemeteries and the Concord Senior Center for the 2019 season. The lower bidder was ST&J's Lawn Care and Landscaping from West Valley, \$4,780. The next closest bidder was \$1,020 higher. Not knowing this company, Supervisor Drake called to make sure they had adequate equipment and check references. ST&J last year was contracted by the Village of Springville to do the zombie homes in the Village. Village Administrator Melock highly recommended ST&J's Lawn Care.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to award the mowing of the cemeteries and the Concord Senior Center to low bidder ST&J's Lawn Care and Landscaping in the amount of \$4,780.00 for the 2019 season. Councilmen Krezmien & Zittel; Supervisor Drake, voting aye; Councilman Drozd, abstained (relative of one of the bidders); Councilman Snyder, excused. Carried.

d) 2019 Municipal Clerk's Week – Supervisor Drake noted that May 5th through May 11th, 2019 is Municipal Clerk's Week. Supervisor Drake read the Proclamation.

Councilman Krezmien moved the adoption of Resolution 3, seconded by Councilman Zittel:

**PROCLAMATION
MUNICIPAL CLERK'S WEEK
MAY 5th THROUGH MAY 11th, 2019**

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, the Concord Town Board recognizes the week of May 5th through May 11th, 2019 as Municipal Clerk's Week, and further extends appreciation to our Municipal Clerk, Darlene G. Schweikert, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, the Concord Town Board recognizes the week of May 5th through May 11th, 2019 as Municipal Clerk's Week, and further extends appreciation to our Municipal Clerk, Stephanie A. Bacon, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Voting as follows:

Councilman Drozd	Aye
Councilman Krezmien	Aye
Councilman Snyder	Excused
Councilman Zittel	Aye
Supervisor Drake	Aye

The foregoing Resolution was thereupon declared duly adopted.

Supervisor Drake added that he had a chance to attend an award luncheon where Town Clerk Schweikert received Clerk of the Year from her association. Congratulations were extended to her. Town Clerk Schweikert thanked the Board.

Supervisor Drake also noted that there was a meeting today with Springville Griffith; the Business Administrator and District Treasurer came to discuss the tax collection. They were amazed at the number of people who chose to come into the Town Hall to pay their taxes in person. Town Clerk Schweikert reported it was roughly 30% of the bills came in to pay. The SGI representatives acknowledged that this was higher than they thought it was going to be. Supervisor Drake thanked Town Clerk Schweikert and Deputy Town Clerk Bacon for their efforts making this collection process work. The Clerk's Office was pleased with the results of the collection.

e) **Resignation of Nina M. Benz** – Supervisor Drake noted that the Board had just appointed Ms. Benz Recreation Attendant PT at last month's meeting. Ms. Benz has other obligations that cause a conflict with this position and has submitted her resignation.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to accept the resignation of Nina M. Benz with regrets. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

f) **Resignation of Kirk Engnath**- The cleaner at the Senior Center, Kirk Engnath, submitted his resignation. Mr. Engnath had been working for the Town though SASI. He is looking for employment closer to his home.

Motion by Councilman Zittel, seconded by Councilman Krezmien, to accept the resignation of Kirk Engnath with regrets. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

g) **Agreement to Spend Highway Funds** – Prior to the Board meeting, Hwy Supt Dains had provided the Board with his Agreement to Spend Town Highway Funds for their review and reviewed the details at the meeting. Hwy Supt Dains heard that there was going to be an increase in the PAVENY funding. This will be found out when the disbursements of any increases are done. If there is an increase, the Town will just need to adjust our budget numbers. A copy of the Agreement to Spend Highway Funds is included in the Minutes.

Motion by Councilman Zittel, seconded by Councilman Krezmien, to approve and sign the Agreement to Spend Town Highway Funds. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried. The original of this Agreement will be filed with Town Clerk Schweikert.

h) **Highway Surplus Equipment** –

1) Prior to the Board meeting, Hwy Supt Dains had provided the Board

with a list of surplus equipment and requests the Board declare the items as Surplus Equipment. A copy of the list is included in the Minutes.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to declare the list of equipment as Surplus Equipment. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

2) Hwy Supt Dains informed the Board that the Town of Sardinia was interested in purchasing the 1994 York Rake at a cost of \$1,947.00. It is 25 years old. This rake has not been used by the Town since 1995 when it was used on the gravel roads in the Town. The Town of Sardinia Highway Department has offered a fair price of \$500.00 for this York Rake. Hwy Supt Dains asked the Board to consider a motion to sell the York Rake through an intermunicipal purchase agreement to the Town of Sardinia Highway Department for \$500.00.

Motion by Councilman Zittel, seconded by Councilman Drozd, to sell the 1994 York Rake to the Town of Sardinia Highway Department for \$500.00 through an intermunicipal purchase agreement. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake; voting aye; Councilman Snyder, excused. Carried.

Hwy Supt Dains will contact Auctions International regarding the sale of the rest of these items.

i) Set Public Hearing Date for National Flood Insurance Local Law - Supervisor Drake discussed at last month's meeting and earlier tonight during Work Session. The DEC has approved the proposed Local Law. The next step is to set the date for the Public Hearing. The 1987 Local Law must be rescinded and then the Town must pass the Local Law by June 9th or the Town residents will not be able to get flood insurance. The Town is on track to accomplish this.

Motion by Councilman Zittel, seconded by Councilman Drozd, to set the date of the Public Hearing on Local Law No. 1 of 2019 – Flood Insurance Prevention for Thursday, May 9th at 6:30 p.m. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

j) Appoint Affirmative Action Officer – At the March meeting. Councilman Snyder volunteered to replace Bookkeeper Ciszak as the Town's Affirmative Action Officer. Councilman Snyder attended the training on April 8th but was informed that there must be a motion by the Town Board appointing Councilman Snyder as our Affirmative Action Officer so that Supervisor Drake can send a letter showing the appointment.

Motion by Councilman Zittel, seconded by Councilman Krezmien, to appoint Councilman William F. Snyder, III, as the Town's Affirmative Action Officer. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

k) Appoint New Cleaner – SASI has found a replacement cleaner for the Senior Center. SASI recommends Shawna Frazier. As in the past, SASI will work with her initially to make sure that she is well trained for the position.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to appoint Shawn Fraser to the position of PT Cleaner at the Senior Center, effective April 12, 2019, at the starting rate of \$11.10/hour. After a successful six-month probationary period, increasing to \$11.40/hour. Due to the increase minimal wage levels, the 20% increase listed in the Employee's Manual will not apply as it is under revision to reflect our outdated situation caused by yearly minimum increases.

l) Senior Center Generator final payment – The generator has been installed at the Senior Center. Due to Winter weather, the contractor was waiting to fix the asphalt that is around the generator and also the surface crack on the generator pad. Supervisor Drake discussed this matter during Work Session earlier this evening. The

final payment to the Contractor is \$3,332.40. MDA Consulting Engineers recommends that the Town authorize full payment to Gerwitz & McNeil. This will allow the Town to send documentation in to get the \$50,000.00 grant money.

Motion by Councilman Zittel, seconded by Councilman Drozd, to authorize the final payment to Gerwitz & McNeil in the amount of \$3,332.40. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

m) **Street Lighting** – The Town has been working with NYSEG on change the street lights in the Town to LED. Throughout that conversation, there are some intersections in the Town that are not lighted at this point. Councilman Drozd and Hwy Supt Dains met with the representative from the electric company about five different intersections that are not lighted at the present time. Councilman Drozd relayed the details: Transit Line and Adams Road; Transit Line and Genesee Road; Trevett Road and Concord Road; Smith Road and Genesee Road; as will Brown Hill Road and Wyandale Road. There will be a little cost up front of \$738.48 to get the wires run to these lights. There is an estimated cost per light of \$8.54 and these lights will match the majority of the new LED lights that will be installed.

Motion by Councilman Drozd, seconded by Councilman Zittel, to authorize Supervisor Drake, once paperwork has been received from Sue Westfall at NYSEG and all the paperwork is the same as initially quoted, to proceed with the LED street lighting project. Every light that the Town pays for would then be on LED plus these five new lights; at a significant lower cost than what the Town has paid in the past. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried. Supervisor Drake noted that there is a one-year payback on the basic change to LED lights. The true savings will not take effect for one year.

n) **Special Town Board Meeting** – Supervisor Drake noted that Hwy Supt Dains mentioned earlier that there will be a Special Town Board Meeting on Tuesday, April 16th at 10 a.m. This meeting will be to finalize the sale of the 1999 Sterling on Auctions International.

ITEM #6 EXECUTIVE SESSION

Supervisor Drake noted that there would be a short Executive Session for the purpose of personnel. There would be no action taken on this matter at tonight's meeting. Supervisor Drake asked the Board to proceed with the rest of the Agenda before going into Executive Session.

ITEM #7 CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #8 COUNCILMAN NOTES

a) Councilman Drozd had attended a Library Board meeting. Librarian Morris secured more hours from Erie County for our cleaner. The Library Board will cancel their vendor who performs the outside landscaping at the Library because this work will now be performed by our cleaner who will be supervised by Maria Wagner who is a landscape architect. The landscape will be much more colorful.

b) Councilman Drozd advised that the Library Board is still looking for two new members: One from the Village/Town and one from the Library's circulation district. If anyone is interested, please contact Librarian Morris or Town Clerk Schweikert.

c) Supervisor Drake gave credit to Hwy Supt Dains for his help in the Library landscaping project. The Hwy Dept will assist in taking down some trees at the Library. Councilman Drozd will check to see if the library wants the wood chips from the trees.

d) Councilman Zittel stopped at the Senior Center today to deliver flowers to resident Clara Vredenburg who will be celebrating her 101st birthday on April 13th.

e) Councilman Zittel welcomed Alex Simmons who was in attendance reporting for the Springville Times.

f) Councilman Krezmien stopped at Community Park earlier to check in with Park Supt Schweikert. The Park was opened earlier this week and the SGI team has been playing on the Varsity Field. Park Supt Schweikert has been in contact with Hwy Supt Dains for his assistance to modify one of the pitcher's mounds. The Park tractor won't pop the mound out of the clay. Once it dries out a bit, the Highway Department might go up there to pop it out of the clay. Park Supt Schweikert did not think that the Park needed to be rolled.

g) Supervisor Drake attended a DLAN training session which is the Erie County System for emergency situations. This was a joint training with Mayor Krebs and Village Administrator Melock. It is good to know what to do in the event of an emergency.

h) Supervisor Drake and Councilman Drozd attended a seminar by the Office of the State Comptroller at the Boston Town Hall on April 9th. It was a very good seminar; lots of information. Supervisor Drake will be reviewing the policies of the Town to see what policies the Town may be missing.

i) Supervisor Drake attended a luncheon for the Rural Transit Service held in Elma. Awards were given to the drivers.

EXECUTIVE SESSION

Motion by Councilman Krezmien, seconded by Councilman Zittel, to go into Executive Session at 7:46 p.m. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused; Carried. Supervisor Drake invited Hwy Supt Dains and Deputy Town Atty Rautenstrach into this Executive Session.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to come out of Executive Session at 8:02 p.m. Councilmen Krezmien, Zittel & Drozd; Supervisor Drake, voting aye; Councilman Snyder, excused. Carried.

ITEM #9 MOTION TO ADJOURN

Motion by Councilman Krezmien, seconded by Councilman Zittel, and passed unanimously, to adjourn the meeting at 8:03 p.m. in memory of:

Joan E. Zehnder	Roger J. Smith
William G. Evans	Beverly M. Mankowski
Thomas J. Beuler	Franklin L. Smith, Jr.
Walter J. Wienk, Jr.	Paul I. Lawton
Betty J. VanEtten	Douglas M. Tatar
Kenneth W. Feldman	Patricia Ann Waite
Leo T. Mrugala	Marjorie E. Smouse
Martin J. Goodremote	Leonard B. Quinn, III


 Darlene G. Schweikert
 Town Clerk