

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

August 8, 2019

MEETING CALLED TO ORDER BY CLYDE M. DRAKE, SUPERVISOR

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

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk
BRIAN F. ATTEA, Town Atty
DENNIS M. DAINS, Hwy Supt
CAROLYN ROBINSON, Dog Control Officer

KELLEN M. QUIGLEY, Springville Times
JOHN MIESS
KAREN HOWARD, Senator Gallivan Office

MAX BORSUK, Springville Journal
MARY JANE MIESS

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DRAKE

ITEM #1 APPROVAL OF MINUTES

a) Town Board Work Session – 07/11/2019 - Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

b) Town Board Meeting – 07/11/2019 - Motion by Councilman Zittel, seconded by Councilman Drozd, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #2 PUBLIC COMMENT

No one else wished to address the Board.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to close Public Comment. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #3 MONTHLY REPORTS

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

- a) Code Enforcement Officer – July 2019. There were no new homes but there were sheds, decks, patios keeping CEO Singleton busy. Supervisor Drake noted that CEO Singleton is doing a great job.
- b) Dog Control Officer – July 2019. Eleven summonses were served for Unlicensed dogs; 73 phone calls received and 72 phone calls made. Picked up and returned one dog. DCO Robinson continues to work hard.
- c) Supervisor’s Report – June 2019
- d) Town Clerk Report – July 2019
- e) Judge Frank Report – June 2019; Received \$8,665.
- f) Judge Gibbin Report – June 2019; Received \$8,891. Supervisor Drake mentioned that he had attended a Supervisor’s Meeting and there seems to be general trend in towns that fines are going way down. Concord has been holding steady.
- g) Senior Van Report – June 2019

h) Highway Report - Hwy Supt Dains reviewed his filed report. Hwy Supt Dains discussed the following with the Board:

(1) Hwy Supt Dains had provided the Board with the breakdown of the proposed Erie County Plow Contract amounts for the three years. Hwy Supt Dains also provided a breakdown for the contract with the removal of Fowlerville Road which runs between Trevett Road and Springville Boston Road. The length of Fowlerville Road is 0.42 miles and the Town is being paid per lane mile by the County which is 0.84 miles. Erie County Highway plows both Trevett Road and Springville Boston Road and would be able to do Fowlerville Road very easily as it intersects both roads. Fowlerville Road is very rough with only patching done annually by the County. When the freeze thaw cycle comes in the winter months the road always breaks up making it harder to plow and damage could result on the Town's plow equipment and truck chassis. This past Winter the department had the spring and main plow repairs to Truck #14 from damage caused by the condition of Belscher Road in the amount of \$1,600 in parts and in-house shop labor of \$800. Prior to signing a new plow contract with Erie County for the next three years, Hwy Supt Dains is recommending the Town opt out of plowing Fowlerville Road. The difference over the duration of the three-year contract would be in 2019-2020 \$3,522.43, in 2020-2021 \$3,645.88 and in 2021-2022 \$83,755.26. The overall difference over the three-year contract would be \$10,923.57. Notification will need to be sent to Erie County with the Board's approval to opt out with Fowlerville Road. Councilman Snyder feels that the basis wear and tear on the equipment and the cost of labor would exceed that amount. Councilman Drozd noted that it is also difficult for the Town plows to turn around and agrees with Hwy Supt Dains' recommendation to opt out. There was discussion as to a deadline date to opt out and Hwy Supt Dains will check into that. Hwy Supt Dains advised that the Erie County Highway Department has been doing a lot of road work on roads in Concord: Snyder Road, Abbott Hill Road, Belscher Road. The County department is doing a good job in our district.

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

Motion by Councilman Drozd, seconded by Councilman Zittel to authorize Hwy Supt Dains to opt out of plowing Fowlerville Road and allow Hwy Supt Dains to write a letter to Erie County notifying the County that the Town will opt out of plowing Fowlerville Road. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried. Supervisor Drake questioned what if the County were to fix Fowlerville Road? Hwy Supt Dains noted that there is a lot of work to be done before Winter and that the turn around is difficult.

i) Fire Department Report – Councilman Drozd reported:

(1) The drainage work has been completed on the east side of the Springville Fire Department Main Street building. The Department of Rural Development & Agriculture was here for their final walk around. Regarding the grant for the surfacing/repaving project, everything has been submitted. The SEQR declarations is with MDA Engineers and will be completed when the fire department is notified that they get the grant.

(2) The July car show fundraiser held in conjunction with the All-Class Reunion Weekend was a grand success.

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

ITEM #4 OLD BUSINESS

There was nothing for Old Business.

ITEM #5 NEW BUSINESS

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

General Fund A, abstract 8, bills 786-841 & 896-898; \$51,162.52
 General Fund B, abstract 8, bills 842-852; \$1,242.07
 Library Fund, abstract 8, bill 853; \$321.63
 Fire Protection, abstract 8, NONE
 Joint Van, abstract 8, bill 854; \$35.88
 Joint Youth, abstract 8, bill 855; \$532.37
 Craneridge Lighting, abstract 8, bill 856; \$1,747.12
 Craneridge Sewer, abstract 8, bills 857-867; \$12,726.97
 Highway DA, abstract 8, NONE
 Highway DB, abstract 8, bills 868-885 & 899; \$100,045.13
 Kissing Bridge Water, abstract 8, bill 886; \$11.00
 Kissing Bridge Sewer, abstract 8, bills 887-890; \$3,348.33
 Trevett Rd. Water, abstract 8, NONE
 Cattaraugus St. Water, abstract 8, bill 891; \$583.36
 Trust & Agency, abstract 8, bills 892-895; \$6,646.46
 Capital (HA) Craneridge Sewer, abstract 8, NONE
 Capital (HB) Land, abstract 8, NONE
 Capital (HD) Catt St, abstract 8, NONE
 Capital (HE) Sr. Ctr, abstract 8, NONE
 Capital (HF) Hwy Equip, abstract 8, NONE
 Capital (HG) Waste Study, abstract 8, NONE

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

b) Set dates for the 2020 Budget Work Sessions – The following dates were set for the 2020 Budget Work Sessions:

Tuesday, August 27th at 6 p.m.
 Wednesday, September 11th at 6 p.m.
 Tuesday, September 24th at 6 p.m.

Supervisor Drake asked the Board for a motion to add additional items to the Agenda: (c) Erie County Clerk's Zombies Initiative and (d) Robert G. Smith Eagle Scout. Motion by Councilman Krezmien, seconded by Councilman Zittel, adding additional items (c) and (d) to the Agenda. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

c) Erie County Clerk's Zombies Initiative – Supervisor Drake explained that this is different from the land bank process where the Town is notified when parcels are delinquent on real property taxes. This Zombies Initiative has a data base with people who are behind in their mortgage payments and the bank keeps paying the real property taxes. In some situations, these homes remain vacant with no heat, no maintenance of the yard, deterioration. Having this information will allow the Town to decide if we can go after the bank to force them to put the home up for sale or do maintenance so it is not an eyesore in the neighborhood. The Board had been provided with a copy of the Memorandum of Understanding for the review. Town Atty Attea reviewed the agreement and did not have any issues with the Board approving the agreement and authorizing Supervisor Drake to sign. Motion by Councilman Krezmien, seconded by Councilman Zittel, to authorize Supervisor Drake to sign the Memorandum of Understanding. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

d) Robert G. Smith II Eagle Scout Resolution –

Councilman Krezmien moved the adoption of Resolution 6, seconded by Councilman Zittel:

Town of Concord Resolution Honoring and Congratulating Robert G. Smith II for his Achievement in Earning the Rank of Eagle Scout

WHEREAS, Robert G. Smith II, a member of Boy Scout Troop 524, has earned the required number of merit badges; and

WHEREAS, through diligence and hard work, he has planned, developed, and led a service project which demonstrated leadership and commitment to our community; and

WHEREAS, he has progressed through the ranks of Scouting from Tenderfoot, Second Class, First Class, Star, and Life to the highest rank, that of Eagle, where he has demonstrated the highest levels of citizenship, character, and personal fitness; and

THEREFORE, BE IT RESOLVED, that the Concord Town Board salutes and congratulates Robert G. Smith II for all his hard work and dedication in achieving a goal which is reached by six percent of the young men in the Scouting program, and in doing so, joins an elite group of local and national leaders and public servants.

Voting as follows:

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|---------------------|-----|
| Councilman Drozd | Aye |
| Councilman Krezmien | Aye |
| Councilman Snyder | Aye |
| Councilman Zittel | Aye |
| Supervisor Drake | Aye |

The foregoing Resolution was thereupon declared duly adopted.

ITEM #6 EXECUTIVE SESSION

Supervisor Drake advised that the Board would need an Executive Session to discuss pending litigation. There will be no action taken. Hwy Supt Dains will be included in the Executive Session. Prior to going into Executive Session, the Board continued with the balance of tonight's Agenda.

ITEM #7 CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #8 COUNCILMAN NOTES

1) Councilman Snyder reported that he and Supervisor Drake met with the Craneridge Association regarding their lighting district. There was good conversation with the Association. Craneridge resident Jeffrey Randall is taking leadership of this and will go back to the Association and discuss the options presented. The group wants to know what the residents want. The Association had discussed having the Town hold a vote on the lighting district options for their residents. Supervisor Drake advised that when the Town had the vote on the Senior Center it had to be coordinated with Erie County Board of Elections and there were costs involved in producing the books, ballots and the use of the machines and hiring of inspectors. Supervisor Drake advised that there was also discussion with the Association regarding their sewer district. Hwy Supt Dains noted that he has been going around Craneridge getting pole numbers and locating the poles with transformers on them. Councilman Drozd and Hwy Supt Dains noted that they have learned a lot about the lighting process over this last year. Councilman Snyder thinks it is better for the Association to decide and make the decision as to how to proceed.

2) Councilman Snyder advised those in attendance that SYI & The Club of Springville are having a Preview Party at Steelbound Brewery on August 15th from 6-9 p.m. Tickets are \$50/person. Food and drink will be provided to sample the menu before it opens!

3) Councilman Drozd approached the Village of Springville because there was a light out on the side of the Town Hall building. The two lights on the west side of the Town Hall and the front of the building are owned by the Village. The Town pays the Village a monthly rental on these lights. The Village recently completed the installation of LED lights on the west side of the Town Hall and the front of the building. The new lighting looks nice and now with the security cameras, the Town Hall building is on track.

4) Councilman Drozd received a letter from Librarian Jennifer Morris thanking him for repairing the entrance sign at the Library. Councilman Drozd fixed it himself and donated the materials.

5) Councilman Zittel attended two meetings this week: (1) Last night there was a meeting at the East Concord Fire Hall on the Genesee Road Solar Project. Over 60 people were in attendance. The biggest part of this project is located in the Town of Sardinia and the project is just in the initial stage of signing up people to lease the land. (2) On August 6th there was a Fairview Cemetery meeting. The Department of State Division of Cemeteries came out to hold the meeting. Alan & Joyce Manchester and Deborah Owen were thanked for all their past services taking care of the cemetery and advised that a new Board was elected. Michael Conner will be President; Kimberly Krezmien will be Treasurer; Britany Krezmien will be Secretary; Ronald Miller will be a 3-year Trustee and Kenneth Zittel will be a 2-year Trustee.

Supervisor Drake noted that both Fairview Cemetery and Maplewood Cemetery have been in tough financial straits and even though the cemeteries have not been turned over to the Town, the Board will need to consider this when working on the 2020 Budget. When the cemetery sold a grave, a certain percentage of the money is put aside for future maintenance of the cemetery. The problem is that now interest rates are so low the cemeteries are not making as much money in interest as they did in the past and, unfortunately, New York State did not step in to assist.

6) Supervisor Drake advised that budget worksheets were given to Department Heads and are due back by August 16th. One of his goals for this budget is to come out with a five-year capital plan and have some direction for the Town. Supervisor Drake reported that he had attended the Community Development Block Grant meeting the other day. At the meeting, Marie Thornton told him that Concord had lost their low-income designation for CDBG projects. Supervisor Drake discussed this with her because he had not heard that before and Ms. Thornton is going to send him more information on that. This will limit the projects that the Town can apply for; the Town could still apply for grants for Senior Citizen projects.

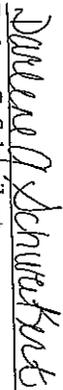
Motion by Councilman Krezmien, seconded by Councilman Zittel, to go into Executive Session at 7:36 p.m. to discuss pending litigation. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to come out of Executive Session at 7:56 p.m. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #9 MOTION TO ADJOURN

Motion by Councilman Zittel, seconded by Councilman Snyder, and passed unanimously, to adjourn the meeting at 7:58 p.m. in memory of:

- Helen M. Stock
- Ronald N. Bacon
- Rohani P. Connolly
- June M. Dash
- Dei Guntrun
- William A. Nash
- Karon L. Kester



Darlene G. Schweikert
Town Clerk