

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

July 11, 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	MAX BORSUK, Springville Journal
GEORGE DONHAUSER	JOHN MIESS
MARY JANE MIESS	RYAN STORKE, STORKE LLC
JACK HONOR, EDF	

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DRAKE

ITEM #1 APPROVAL OF MINUTES

a) Public Hearing – Local Law #2 of 2019 – 06/13/2019 - 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 – 06/13/2019 - Motion by Councilman Snyder, seconded by Councilman Krezmien, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #2 PUBLIC COMMENT

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

1. George Donhauser read an article in the Springville Journal where the Town of Boston hosted a State of the Town presentation to help show residents what is happening within the Town of Boston and what is in their future plans. The Supervisor talked to residents and answered questions about the Town's financial status, department achievements and upcoming projects. Mr. Donhauser felt that this was good way to let residents know what is going on in their town so residents know when the Town might be buying a new truck or updating their Skate Park. Supervisor Drake thanked Mr. Donhauser for his comments.

2. Dog Control Officer Robinson advised that she had called the Erie County Highway garage about a pothole on Trevett Road and the very next day the County was there to patch the pothole. She was very pleased!

3. Ryan Storke, a renewable energy developer, gave the Board an overview of their proposed Genesee Road Solar Energy Center Project. Mr. Stokes provided the Board with their July 2019 Introduction to their project and gave highlights of their project. EDF is in the very early stages of planning the development of a utility scale solar project and having this meeting this early on is just to get the Town associated with their project. EDF is a market leading independent power producer and service provider and is headquartered in San Diego but they own about 2,000 megawatts of

projects in New York under development and in construction. They would be developing a utility scale solar project with an estimated 3,000 acres of land in total; 2,600 of that would be inside the "fence". NYS recently issued a very aggressive renewable energy portfolio standard where we have to take in so many kilowatt hours of green energy to offset all other energy production. NYS now have request for proposals out for building these big solar projects and renewable energy projects and that is what EDF is qualifying under. EDF is working with NYSEERDA to have this project built. The proposed site would have a total size of 350 megawatts project with approximately 3,200 acres under contract as of today but realistically they will build 2,600 acres which would include roads, set back requirements and meeting the requirements of the landowners. This project right now is in Concord and Sardinia with the interconnection point on the line at Genesee Road in Sardinia. A five-mile radius from that is their build zone. This scale permit is filed under Article 10 with the State of New York.

There will be Open House Meeting on Wednesday, August 7th at the East Concord Fire Hall. Sardinia and Concord residents will be invited. Mr. Storke noted that road usage and construction agreements will be used. They will be different from a wind farm because they will not be moving objects that are too big for regular roads. These are all standard weight.

Mr. Storke reviewed the GIS map of the current contracted land that EDF has under development. It will move north and east of here. It won't move too much west due to the number of residential households. This will be a ground mount system. This will not be the solar farms of old type where the ground would be clear cut. Solar projects today are built with sheep and bees, they replant natural habitat. Energy storage may be a part of this project in the future; it is not something EDF is bidding on right now but they are afforded the opportunity later on in the project to add storage in if the market and the operator deem it necessary. If that were to be the case, EDF would have to go back and get a totally separate, subset of permits and applications to get the storage in.

Mr. Storke reviewed the Article 10 permitting process which covers any energy project greater than 25 megawatts and is administered by the NYS Public Service Commission. There are four major public hearings and then there are two board members from each township that they are permitting in that are selected to sit on the State Board of Review for the project. The funding for this is available in two stages; at the beginning and at the end of project based on a 50% reserve to the municipal through the state. EDF plans to do the initial filing in Fall of 2019; hopefully in August. Their expectation for construction and build and operational is 2023 and 2024. The July 2019 Introduction packet included a timeline of the process.

Mr. Storke advised that there will be some local benefits to the project: prevailing wage jobs during construction. Projects are normally sourced locally (labor, material supply). EDF is in initial discussions with the Erie County Industrial Development Agency (ECIDA) regarding Payment in Lieu of Taxes. More information will be forthcoming. Supervisor Drake pointed out that Concord has their own IDA and is not a part of the ECIDA. Jack Honor noted that they have just met introductions with the ECIDA at this point.

Mr. Storke reviewed the Maximizing Land Use information: solar energy provides stable revenue for 20+ years; the land will be returned to normal state; solar facilities complementary uses; solar helping to reinvigorate pollinators; and solar and sheep.

Supervisor Drake asked Mr. Storke about the GIS map. Does EDF need the properties to be contiguous? Is that an issue for EDF? Mr. Storke said that that is not an issue. Mr. Honor advised that to connect the properties EDF would purchase easements from the property owners in between. They can't use eminent domain. The property owner has to be a willing participant so if someone says no, they will go around that property. Everything is buried four feet underground so if the owner has farm fields, they could still farm the land. Mr. Storke noted that the goal is to build with as few easements as possible to get to the high voltage line. Councilman Snyder asked if part of

the contract would be mineral rights and Mr. Storke noted that it would just be for land use rights. Councilman Snyder asked about traditional energy sources in the future and Mr. Honor stated that NYS passed a law that they want to transition to 70% renewables by 2030 and 100% carbon free by 2040 so what we will see is that traditional energy sources are going to shut down or only run in short periods of time when absolutely needed or retro-fit themselves to have some kind of carbon capture technology. Councilman Snyder asked the useful life expectancy of the project and Mr. Honor answered 40 years and that their leases are 40-year leases. They do degrade over time by about a ½% a year at most so they will not be as efficient at the end of their life. Councilman Zittel asked about bonding for decommissioning of the project. Mr. Honor noted that typically if it is shut down for more than a year and non-operational, the state and town would deem it abandoned and require it to be decommissioned. Decommissioning means taking all the equipment out and disposing or recycling it. It will be required by the state and town law. Part of the Article 10 application will be a Decommissioning Plan prepared by professional engineers with cost estimates and they will be required to post a letter of credit or guarantee for that amount so that if for example year 30 EDF is bankrupt and the project shuts down, the town could go to the state with the letter of credit and put it to work; that money would provide for removal and restoration including the underground transmission line as well. Councilman Snyder asked what the subsurface would look like. Mr. Honor stated that they are driven. Mr. Storke advised that a steel i-beam gets driven into the ground and then the equipment is bolted to it. This makes decommissioning more practical. Councilman Drozd asked how many of these centers are in the area now and Mr. Honor responded that they have done 47 smaller projects but none of them are at this size. One of this size was awarded and will be built in the very near future in Mount Morris. This project is definitely large; solar is a new thing for New York but not a new thing for their company. Councilman Drozd asked why the large center here? Mr. Storke advised that they mapped the transmission lines all across the state. They can only handle one or two projects. The power line is what is appealing to EDF for this location; how empty that line is from power producers. Councilman Krezmien asked about the condition of that line and Mr. Honor noted that it is in good condition; some of the components are already planned to be upgraded so the substation on the north side will be upgraded. The state has reviewed the lines across the state and this line has been deemed good to go for the foreseeable future. Supervisor Drake asked if the outcome of this for the electric users in the town, can they expect rates to go down? Mr. Honor said no; when you get your bill there is a component that is energy supply at \$.03 or \$.04 that is what they can affect. While the project will lower electricity prices, it will be a drop in the bucket. There are thousands of megawatts in that area so adding 350 megawatts might see prices going down 1% or 2% on average but the bigger portion of the bill paid to NYSEG or National Grid is the cost for them own and operate all the lines in your neighborhood; that is 2/3 of the bill. Councilman Drozd asked about the PILOT program. Town Attorney Attea asked how long of a PILOT they were looking for. Mr. Honor advised that they would be looking for as long of a PILOT as the ECIDA or IDA would have tolerances for. Town Attorney Attea asked as far as an indication of the tax benefits, ultimately that would only kick when the PILOT expires. Mr. Honor noted that PILOT programs are complicated. There was a court case (Cornell University vs. Town of Seneca, et al) recently that municipalities can't tax solar equipment; only the land and roads/fences which just isn't fair. Mr. Honor noted that the PILOT would be beneficial considering that court case which indicated that the town couldn't tax 90% of the project. It is also pure revenue without increasing any of the municipal expenses. Their model is \$800,000 to \$900,000/year in aggregate and then that is split between county, towns and villages. EDF recommends 1/3, 1/3, 1/3. The county, village and towns decide the split amounts. Town Attorney Attea asked for the sake of understanding EDF makes their money by selling the energy that is generated through the solar to the provider and also through tax credits? Mr. Honor said there are two sources of revenue: (1) selling their power on the open market. They have no specific customer; it just goes to the grid and they get the prevailing market price. (2) is an agreement with the State of New York to sell the renewable energy credits. EDF sells them to NYSERDA and they sell them to the utilities who are required to buy them to meet their renewable standards. Those are the two sources of revenue. They also get a federal tax credit but that is not revenue.

Councilman Drozd asked if the two towns (Sardinia and Concord) would split the town's share of the amount? Mr. Honor noted that negotiations would be based on how much of the project is in each town. More than half of the project will be in Sardinia.

Mr. Honor reminded the Board about the Open Meeting on August 7th. Mr. Storke and Mr. Honor noted that they are available to discuss this project or answer any other questions at any point. (Mr. Honor and Mr. Storke left the meeting at 7:30 p.m)

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 Krezmien, 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 – June 2019. There are currently 9 new homes and 14 significant additions being inspected and renovated.

b) Dog Control Officer – June 2019. Nine Summonses were served for Unlicensed dogs; 68 phone calls received and 86 phone calls made. Picked up and returned three dogs. DCO Robinson noted that social media is being used to get dogs back to owners which is good but then there is no opportunity for the DCO to see if the dog has a rabies and a license. She has concerns about rabies since she has had two incidences of rabid raccoons in the town. Everyone should get their cats and dogs vaccinated and be careful with wildlife.

c) Supervisor's Report – May 2019

c) Town Clerk Report – June 2019

d) Judge Frank Report – May 2019

e) Judge Gibbin Report – May 2019

f) Senior Van Report – May 2019

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

(1) NYS did put back into the budget the Extreme Winter Recovery funding and that gave Concord an additional \$10,482.82 in money for road repair through the CHIPS program. The County of Erie will receive \$1,136,192.82 in Extreme Winter Recovery funds alone. Hwy Supt Dains has noticed that the County has been out doing some work and doing a good job. When he receives calls about County road conditions, he directs them to call the County Highway and call the County Executive's Office also.

(2) Hwy Supt Dains touched base with the State DOT. There will be a pre-construction meeting next week in regards to the Route 39 work from Route 39 through Spooners Gulf. This project should start in August. There are two bids out for this project: one to Belscher Road and one to Route 240. In conjunction with the project completed in Craneridge which used a lot of the millings, Hwy Supt Dains is hoping that this DOT mills this year so he can stockpile millings for shoulder work next year.

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

i) Fire Department Report – Hwy Supt Dains noted that all the departments have been very busy with calls lately. Today was Truck Day at the Children's League; it is always a nice time. Councilman Drozd advised that the Company is continuing working on the major fundraiser for July 21st. The car show,

artists & craft vendors, food truck, music. All free of charge. It is the same weekend as the All Class Reunion.

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

ITEM #4 OLD BUSINESS

a) Roof Permit - At the June 13th meeting, the roof permit was tabled. Motion by Councilman Krezmien, seconded by Councilman Zittel, to revisit the Roof Permit matter. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Supervisor Drake took this matter back to the Planning Board and there was another discussion about the roof permit and he also had conversations with CEO Singleton. Their feeling is that there should be a permit and there should be a fee attached to it. Planning Board member Jozwiak who is a contractor was quite vocal about this permit; Concord is about the only town in the area that does not require a permit. Councilman Drozd noted that the permit was not in question. Supervisor Drake noted that one of the questions was would the CEO be able to get to every roofing job and Member Jozwiak said that in many towns the contractor takes pictures when the roof is stripped and forwards them to the CEO. Councilman Zittel questioned if the Planning Board had any stipulations on the size of buildings? That was left to the Town Board to determine. There was a lot of discussion about the Do-It-Yourself projects. People that have a roofing business have to pay the compensation insurance and other costs. They believe that if there were a permit, the homeowner would know exactly what needed to be done. Councilman Drozd stated that he did not feel that small accessory buildings (sheds) should need a permit. Town Attorney Attea noted that most Town Codes would delineate this based on square footage. Hwy Supt Dains asked if a homeowner wanted to put a roof on his house himself, he could still do it once he got a permit? Supervisor Drake said yes, once the homeowner got the permit, he would know the NYS Code regarding ice shield etc. It just protects the homeowner. Councilman Drozd would like this voted on in two parts: the permit and the fee. Councilman Drozd stated that he has no problem with the permit but wanted to see what the Town could do to lessen the burden on the major expense for our residents since residents had approached him in opposition of any fee. He would vote for a permit as required by the State. Councilman Drozd would like this to be voted on in two parts: the permit and the fee. Supervisor Drake noted that the CEO would still be involved but he is here and that is a cost of doing business. Discussion about square footage; Supervisor Drake thought anything bigger than a one car garage should require a permit. Town Attorney Attea noted that if it is a residential building, someone living in it; require a permit. He would check into this matter further if the Board so desires. A lot of towns won't require a permit for an accessory structure; the overall square footage of such is under a certain threshold. If you don't need a permit for the structure, then you shouldn't need a permit for the roof. The Town Code requires that all sheds require a building permit. Councilman Snyder questioned if agricultural buildings are exempt. The Code requires agricultural exempt parcels to file a permit but there is no fee charged. Further discussion about square footage and discussed 144 square footage. G. Donhauser noted that someone could fall off a small building or a farm building? If someone falls off any roof, they could sue the owner. A roof is a roof. Councilman Zittel does not feel that the little buildings should be included. Councilman Krezmien asked about the D-I-Y residents process. Supervisor Drake noted that the CEO would review their application and go over the NYS Code as far as ice shield, the total number of layers, etc. Councilman Snyder thinks agriculture exempt parcels should be an exception.

Motion by Councilman Drozd to make residents obtain a roof permit but no fee is attached to this permit. There was no second to the motion. Councilman Krezmien said that there are staff costs and the CEO will be doing at least one inspection but he would think that the 144 square feet would be the minimal. Councilman Drozd amended his motion that residents obtain a roof permit but that such permit is not required for a building under 144 square feet. Motion seconded Councilman Zittel. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Supervisor Drake asked the Board about the permit fee. Motion by Councilman Zittel, seconded by Councilman Krezmien, to go along with the recommendation of the Planning Board and charge a \$50 roof permit fee. Councilmen Krezmien, Zittel, Snyder; Supervisor Drake, voting aye; Councilman Drozd voting nay. Carried.

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 7, bills 680-747; \$30,882.87
 General Fund B, abstract 7, bills 748-752; \$7,440.66
 Library Fund, abstract 7, bills 753-755; \$448.41
 Fire Protection, abstract 7, NONE
 Joint Van, abstract 7, bills 756-759; \$1,076.97
 Joint Youth, abstract 7, bill 760; \$313.99
 Craneridge Lighting, abstract 7, NONE
 Craneridge Sewer, abstract 7, bills 761-766; \$5,258.48
 Highway DA, abstract 7, NONE
 Highway DB, abstract 7, bills 767-780; \$103,896.34
 Kissing Bridge Water, abstract 7, bills 781-782; \$146.00
 Kissing Bridge Sewer, abstract 7, bills 783-785; \$3,388.50
 Trevett Rd. Water, abstract 7, NONE
 Cattaraugus St. Water, abstract 7, NONE
 Trust & Agency, abstract 7, NONE
 Capital (HA) Craneridge Sewer, abstract 7, NONE
 Capital (HB) Land, abstract 7, NONE
 Capital (HD) Catt St, abstract 7, NONE
 Capital (HE) Sr. Ctr, abstract 7, NONE
 Capital (HF) Hwy Equip, abstract 7, NONE
 Capital (HG) Waste Study, abstract 7, NONE

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

b) Library Board Appointments – Supervisor Drake advised that a couple people who want to join the Library Board and it was also discovered that their terms are out of sync. Councilman Drozd advised that the Library Board held a special meeting on June 27, 2019 where a motion was made to nominate the following new members to the Library Board:

Mary O'Reilly term January 2019 to December 2019
 Darlene Sarver term January 2019 to December 2020
 Diane Bookhagen term January 2019 to December 2021
 Geoffrey G. Gorsuch term January 2019 to December 2022

Motion by Councilman Drozd, seconded by Councilman Krezmien, to approve the Library Board appointments as above noted. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried. These new appointments still have the majority of the Board members as Concord residents.

To comply with the library's charter, the Library Board approved a term reset for their current board members as follows:

Stephanie Bacon term January 2019 to December 2019
Susan Fischbeck term January 2019 to December 2020
Susan Putney term January 2019 to December 2021
Pamela Bartkowski term January 2019 to December 2022
Robert Adler term January 2019 to December 2023

Motion by Councilman Drozd, seconded by Councilman Krezmien, to approve the term reset of the Library Board appointments as above noted. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

c) Craneridge Sewer Dechlorination Project – At the June 13th meeting, the Board authorized Supervisor Drake to move forward on this project because the DEC is needing this project done ASAP with a deadline date of September 1st. MDA Engineers asked five different companies to quote the project; four responded. The lower bidder on the project is Landscaping and Excavating by the Miller's with a bid amount of \$3,250. Supervisor Drake discussed this company with Jim Thoman, Ben Slotman and Mark Alianello of MDA Engineers and they believe that Miller's can do the project based on other work Miller's have completed for them. Motion by Councilman Snyder, seconded by Councilman Zittel, to accept the bid of Landscaping and Excavating by Miller's. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

d) Kissing Bridge Water Contract Extension – Supervisor Drake reviewed the Kissing Bridge Water Contract. The current Kissing Bridge Water District Agreement is dated August 31, 2018 for a one-year term. Pursuant to the terms of that agreement, Supervisor Drake notified Kissing Bridge via email that the Town wishes to extend the existing agreement for an additional year. Supervisor Drake would like to get these the Sewer and the Water Contracts on the same renewal cycle. The Kissing Bridge Sewer Agreement runs for two years and is not expiring this year; it will expire in 2020. Currently the Town pays them \$135/month to cover the cost of electricity for the water building on top of the extension of Abbott Hill Road. No response has yet been received from Kissing Bridge but the Town has now fulfilled our end of putting them on notice that we would like to extend the agreement. Supervisor Drake asked the Board for a motion authorizing him to sign the Agreement if Kissing Bridge replies back accepting the extension for a year. Motion by Councilman Snyder, seconded by Councilman Zittel, to authorize Supervisor Drake to sign the Kissing Bridge Water Contract agreement as above discussed. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

e) Employee Termination – Supervisor Drake noted that the Town has been going through SASI to have the Senior Center cleaned. SASI had been informed of the worker's performance and had spoken with the worker twice prior to letting her go. Senior Director Eschborn also spoke with the worker that her work was not satisfactory. SASI has terminated the worker as of July 5, 2019. As an employee of the Town, a motion is required to accept her termination. Motion by Councilman Zittel, seconded by Councilman Krezmien, to accept the termination of the SASI worker from the position of part time cleaner at the Senior Center effective July 5, 2019. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

f) Appointment Senior Center – Supervisor Drake noted that a person has approached Senior Center Director Eschborn and would like to do the cleaning. This has been a revolving door position for this minimum wage job. This person has a job already but wants to have a little extra income and is willing to do it. Supervisor Drake then asked for a motion to appoint Amber McGranor to the position of part time cleaner at the Senior Center effective July 16, 2019. Starting wage of \$11.10. After a successful six-month probationary period increasing to \$11.40/hour. Due to increased minimum wage levels the 20% increase listed in the Employee Manual will not apply, as it is under revision to reflect outdated situations caused by yearly minimum wage increases. Motion by Councilman Krezmien, seconded by Councilman Zittel, to appoint Amber McGranor

to the position of part time cleaner at the Senior Center as detailed above. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #6 EXECUTIVE SESSION

There was no Executive Session.

ITEM #7 CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #8 COUNCILMAN NOTES

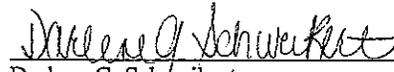
a) Councilman Zittel advised the Board the Southtowns Planning & Development meeting will be held Monday, July 22nd at 6:30 p.m. at 56 East Main Street. If interested in attending, please let Town Clerk Schweikert know and she will send in the RSVP. Supervisor Drake and Councilmen Krezmien and Zittel will be attending.

b) Supervisor Drake advised that next Monday, July 15th, he and Councilman Snyder will be in Craneridge discussing their lighting project. He will also make them aware of their sewer project. Supervisor Drake asked Hwy Supt Dains to update the Board on the Craneridge sewer situation. Hwy Supt Dains informed the Board that after the last two heavy rain storms, he walked and checked every cross culvert and cleans up any debris. On the walks around Meadow Trail, back in the 2009 flood, there was some very severe damage to the sewers in that area. FEMA came in and provided a lot of assistance. The section that goes across the creek behind Meadow Trail towards Deer Run, that line originally was ripped right out in that storm. Now the new section that went through there of sewer line was encased in Styrofoam and then encased in concrete. On top of the concrete it was geotextile fabric and plunge pools were put in above and below with limestone. As many storms as there have been since 2009, especially these last few, that whole geotextile fabric over that cross is just that "geotextile". Mark Alianello and Jim Thoman walked up there with Hwy Supt Dains last week and there is a lot of substantial damage through that whole creek line. Once they approached the sanitary crossing behind Meadow Trail, you could stick your hand inside that geotextile fabric at the base and it is all backwashing underneath. The big concern that Mark Alianello has is that if we don't do something now that if there is a heavy snow and a fast thaw and as the ground moves in Winter, we could lose that line. Based on what he saw up there in 2009, this needs to get fixed before we lose it. If it's lost in Winter, they will be in trouble. Larger rock might be needed. There is an area they could get in very easily to that location. Would need larger rock above, on top as a plunge pool to slow the water down and then down around the curve. If a tree is laying the wrong way downstream, it is taking that water coming down in heavy storms and shooting it right to the bank on the east side of the road and it is just eating it right out. Councilman Drozd wondered if any thought had been given to contacting Erie County Soil and Water being that it is a sewer line; maybe they could go up there and snag it; to force that water back into its natural channel. Hwy Supt Dains noted that the sewer needs to be addressed and while they are back in there doing the sewer, they can address that too because it is right there on the access going in. Back in the 2009 flood, then-Supervisor Eppolito. Mark Alianello and himself met with the Association and told them they needed to do something with their off-road drainage because it is Association property. Nothing has been done. Hwy Supt Dains advised that his concerns are the inlets and the outlets; keeping the pipes open. This needs to be addressed before Winter. Supervisor Drake and Councilman Snyder will address this when they meet with the Association. Hwy Supt Dains noted that every year there was money set aside for continuing repairs and we are at the point now we it needs to be fixed. Supervisor Drake noted that preliminary numbers being discussed is \$25,000-\$30,000. Councilman Krezmien said that if it breaks it could be \$130,000 or more. This is a separate sewer district so that district would have to bear the costs of that.

ITEM #9 MOTION TO ADJOURN

Motion by Councilman Krezmien, seconded by Councilman Zittel, and passed unanimously, to adjourn the meeting at 8:18 p.m. in memory of:

A. James Raber
Clara Mae Peters



Darlene G. Schweikert
Town Clerk

