

TOWN OF CONCORD TOWN BOARD MEETING      October 13, 2022  
7:00 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,  
at 7:00 p.m.

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY COUNCIL MEMBER SNYDER

ROLL CALL:            PHILIP DROZD, SUPERVISOR  
                         CLYDE M. DRAKE, COUNCIL MEMBER  
                         KENNETH D. ZITTEL, COUNCIL MEMBER  
                         WILLIAM F. SNYDER, III, COUNCIL MEMBER

EXCUSED:    KIMBERLY S. KRZEMIEN, COUNCIL MEMBER

ALSO PRESENT:    DARLENE G. SCHWEIKERT, Town Clerk  
                         BARRY A. EDWARDS, Hwy Supt  
                         BRIAN F. ATTEA, Town Attorney  
                         CAROLYN ROBINSON, Dog Control Officer  
                         ELEANOR ESCHBORN, Senior Center Director

GEORGE DONHAUSER                            DENISE CISZAK  
MAX BORSUK, Springville Journal        RUTH NICHOLS  
JEANETTE CORDARO                            SHARON ANDERSON  
KATHY LUX                                        BRUCE BIRINGER

ITEM #1      APPROVAL OF MINUTES

a) Work Session – 09/08//2022 – Motion by Council Member Drake seconded by Council Member Zittel, to approve the minutes as presented. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

b) Town Board Meeting – 09/08/2022 – Motion by Council Member Snyder, seconded by Council Member Zittel, to approve the minutes as presented. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

c) Special Town Board Meeting – 10/04/2022- Motion by Council Member Zittel, seconded by Council Member Drake, to approve the minutes as presented. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

d) Bid Opening Community Park Pavilion – 10/11/2022 - Motion by Council Member Drake, seconded by Council Member Snyder, to approve the minutes as presented. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

ITEM #2      PUBLIC COMMENT

Supervisor Drozd opened the floor for Public Comment.

1) Denise Cizak addressed the Board on a personnel matter and she challenged the Board to follow up.

2) Kathy Lux, Sharon Anderson and Bruce Biringer addressed the Board about activities, hours of use and staffing at the Senior Center. Supervisor Drozd will go to the Center next week and discuss these matters internally at the Center.

No one else wished to address the Board. Motion by Council Member Zittel, seconded by Council Member Drake, to close Public Comment. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

ITEM #3      MONTHLY REPORTS

Motion by Council Member Zittel, seconded by Council Member Snyder, to approve the Monthly Reports, Items a-g & i. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

- a) Code Enforcement Report – September 2022
- b) Dog Control Officer Report – September 2022
- c) Town Clerk Report – September 2022
- d) Van Report – August 2022
- e) Van Report – September 2022
- f) Judge Gibbin – August 2022
- g) Judge Frank – August 2022
- h) Supervisor's Report – August 2022 (not received)
- i) Senior Director Report – September 2022
- j) Historian Report – September 2022 (not received)

k) Highway Report – Hwy Supt Edwards filed his report. His report is included in the Minute Book.

Hwy Supt Edwards noted:

- 1) Hwy Supt Edwards thanked Deputy Hwy Supt Heim and his crew for doing such a great job in his absence.
- 2) Asked Town Clerk Schweikert to publish the Seasonal Abandonment and Snow & Ice Notices in the Springville Journal.
- 3) The roof at the Highway garage is leaking again in three places. He will follow up and obtain quotes for the Board to review.

Motion by Council Member Zittel, seconded by Council Member Snyder to accept the Highway Report. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

ITEM #4      OLD BUSINESS

a) Hulbert Parking Lot Paving Project Update – Supervisor Drozd reported that this project is now complete. At the direction of MDA Engineers and Supervisor Drozd, the Contractor completed more replacement sidewalk, full depth base repair, and a 2" asphalt overlay than what was originally estimated during project bidding. These additional improvements were necessary as the base of the parking lot was in worse condition than what appeared from the surface prior to construction. The Contractor elected to document these changes as three separate change orders. Change Order No. 1 reflects an increase of \$11,715.00 for an additional 213 square yards of full depth base repair. Change Order No. 2 reflects an increase of \$4,998.00 for an additional 98 square feet of sidewalk replacement. Change Order No. 3 reflects an increase of \$736 for additional 32 square yards of 2" asphalt overlay. These change orders represent a total increase of \$17,449.00 bring the total contract price from \$79,850.00 to \$97,299.00. MDA Consulting Engineers provided the Town with Change Orders No. 1, No. 2, No. 3 and Payment Application No. 1 for the amount of \$97,299.00 and the Certificate of Substantial Completion. Motion by Council Member Zittel, seconded by Council Member Snyder, to approve Change Order Nos. 1-3, Payment Application No. 1 in the amount of \$97,299.00, and the Certificate of Substantial Completion and to authorize Supervisor Drozd to sign these documents; and to approve payment to D&H Excavating in the amount of \$97,299.00. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

b) Morton Road Culvert Project Update – Supervisor Drozd reported that this project is now complete. The company did repave the road. MDA Consulting Engineers provided the Town with Payment Application No. 2 in the amount of \$43,970.88 which is a progress payment application; Payment Application No. 3 in the amount of \$10,033.45 which is the project retainage; and the Certificate of Substantial Completion. Motion by Council Member Zittel, seconded by Council Member Drake, to approve Payment Application No. 2 in the amount of \$43,970.88; Payment Application No. 3 in the amount of \$10,033.45 and the Certificate of Substantial Completion and to authorize Supervisor Drozd to sign these documents; and to approve payment to Edbauer Construction in the amounts of \$43,970.88 and \$10,033.45. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

c) NY Municipal Insurance Reciprocal Recommendations Update – The Town received three recommendations: (1) Prior Written Notice Update; this has been completed; (2) Master Battery Disconnect Switches; Hwy Supt Edwards will work on this and advise the Board when completed; and (3) Clerk's Panic Buttons; this project is scheduled for October 17<sup>th</sup>. Once all are completed, Town Clerk Schweikert will forward the completed recommendation letter to NYMIR.

d) Meadow Creek Project Change Order – This project was originally approved in October 2021 in the amount of \$3,500. This Change Order is the increases in the cost of material over the past year in the amount of \$2,300; for a new total of \$5,800. Motion by Council Member Zittel, seconded by Council Member Drake, to authorize Supervisor Drozd to sign the Change Order for the increase of \$2,300. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

e) Kissing Bridge Water Update – The Erie County Health Department required repairs at the Kissing Bridge Water Plant have been completed. Water Operator Tim Domes contacted the ECHD and the Town is all set.

f) Hulbert Library Boiler Update – The recommended boiler repairs have been completed by Tom Randall. The follow up inspection was performed on September 15, 2022 and the NYS Boiler Inspection Certificate is at the Hulbert Library.

g) LED Lighting Project Update – The LED lighting was completed at the Highway Department on September 20, 2022 and the Bensley Center on September 30, 2022.

h) Justice Court JCAP Grant submitted – The JCAP Grant for the Court alarm work was submitted on September 29, 2022.

i) Mortons Corners Cemetery Issue – Council Member Krzemien took care of this matter; there has a verbal commitment from the contractor that the work will be done this year. The family has been notified.

j) Highway Garage – DEC Notice – The Town received notice on September 30, 2022 from the NYS DEC that the Town can resume truck washing at the Highway Garage.

k) Senior Van - The new Senior Van had the running boards, mud flaps and all-weather mats. Senior Director Eschborn noted that there is a light not functioning and she will follow up with Emerling's.

#### ITEM #5    NEW BUSINESS

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

Year 2022 Abstract 10:

- General Fund A, Abstract 10 bills 1125-1224; \$143,762.55
- General Fund B, Abstract 10, bills 1225-1236; \$1,201.09
- Library Fund, Abstract 10, bills 1237-1238; \$301.37
- Fire Protection, Abstract 10, NONE
- Joint Van, Abstract 10, bills 1239-1241; \$80.36
- Joint Youth, Abstract 10, bill 1242; \$42,187.40
- Craneridge Lighting, Abstract 10, bills 1243-1244; \$5,810.12
- Craneridge Sewer, Abstract 10, bills 1245-57; \$4,166.69
- Highway DA, Abstract 10, bill 1258; \$3,794.57
- Highway DB, Abstract 10, bills 1259-1287; \$155,463.23
- Kissing Bridge Water, Abstract 10, bills 1288-1291; \$360.11
- Kissing Bridge Sewer, Abstract 10, bills 1292-1294; \$887.77
- Trevett Rd. Water, Abstract 10, NONE
- Cattaraugus St. Water, Abstract 10, bill 1295; \$330.39
- Trust & Agency, Abstract 10, NONE
- Capital (HA) C. Sewer, Abstract 10, NONE
- Capital (HB) Land, Abstract 10, NONE
- Capital (HD) Catt St, Abstract 10, NONE
- Capital (HE) Sr. Ctr, Abstract 10, NONE
- Capital (HF) Hwy Equip, Abstract 10, NONE
- Capital (HG) Waste Study, Abstract 10, NONE

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

b) Resolution for Community Development Block Grant – Supervisor Drozd asked the Board for a Resolution for the CDBG program.

Council Member Zittel moved the adoption of Resolution 38, seconded by Council Member Drake:

WHEREAS, Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Journal on September 22, 2022. Said Notice of Public Hearing was also posted on the Town of Concord Website and on the signboard at the Town Hall on September 9, 2022;

WHEREAS, that the Town Board of the Town of Concord held a public hearing on Thursday, October 13, 2022;

NOW, THEREFORE BE IT

RESOLVED, that at a meeting of the Town Board of the Town of Concord, held on Thursday, October 13, 2022, the Town Board authorized Philip Drozd, Supervisor, to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project upon approval of the ECCDBG:

1. Concord Senior Center Improvements: appliances and furnishings to include tables & chairs and sealing & striping of the parking lot
2. The Rural Transit Service Van Program.

Voting as follows:

Council Member Drozd	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drake	Aye

The foregoing resolution was thereupon declared duly adopted.

c) Tax Cap Local Law #3 of 2022; To override the tax cap -- Supervisor Drozd asked for a Resolution on the tax cap override. Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Journal on September 22, 2022. Said Notice of Public Hearing was also posted on the Town of Concord Website and on the signboard at the Town Hall on September 22, 2022.

Council Member Drake moved the adoption of Resolution 39, seconded by Supervisor Drozd:

Local Law No. 3 of the Year 2022  
Town of Concord, County of Erie

A local law to override the tax levy limit established in General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of Concord to adopt a budget for the fiscal year commencing January 1, 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Concord, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing resolution was thereupon declared duly adopted.

d) Community Park Pavilion – The bid opening for the Community Park Pavilion was held on October 11, 2022 and one bid was received: Alliance Homes in the amount of \$209,000. This bid was reviewed by Schenne & Associates who provided no objections and agree with the project price and breakdown. The Town had previously received a grant from Senator Gallivan in the amount of \$150,000.00 for this project; Supervisor Drozd advised that the balance of \$59,000.00 could come out of the ARPA funds. Council Member Snyder noted that this is an expensive “snack shack.” Supervisor Drozd noted that prevailing wage and costs of materials as well as ADA compliant regulations contribute to that cost. The old building will be torn down and the new building will go on that footprint and it will have new restrooms. Council Member Zittel noted that Erie County Health Department requirements make the project more costly as well because the Town needs to follow those requirements. Motion by Council Member Drake, seconded by Council Member Snyder, to accept the Community Park Pavilion bid to Alliance Homes in the amount of \$209,000. Council Members Drake & Snyder; Supervisor Drozd, voting aye, Council Member Zittel, abstained; Council Member Krzemien, excused. Carried.

e) Fire Contracts – These contracts were reviewed by the Board at their September 9<sup>th</sup>, 2022 meeting.

1) Boston Fire Contract –

Council Member Snyder moved the adoption of Resolution 40, seconded by Council Member Zittel:

WHEREAS, Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Times on September 22, 2022. The Public Hearing Notice was posted on the signboard at the Town Hall and on the Town’s website: townofconcordny.com on September 10, 2022;

WHEREAS, the Town Board of the Town of Concord held a Public Hearing on Thursday, October 13, 2022;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Concord does hereby approve the Boston Fire Protection Agreement for the Years 2023, 2024 and 2025.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

2) East Concord Fire Contract –

Council Member Snyder moved the adoption of Resolution 41, seconded by Council Member Zittel:

WHEREAS, Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Journal on September 22, 2022. The Public Hearing Notice was posted on the signboard at the Town Hall and on the Town’s website: townofconcordny.com on September 10, 2022;

WHEREAS, the Town Board of the Town of Concord held a Public Hearing on Thursday, October 13, 2022;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Concord does hereby approve the East Concord Fire Protection Agreement for the Years 2023, 2024 and 2025.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

3) East Concord General Ambulance Service Agreement --

Council Member Snyder moved the adoption of Resolution 42, seconded by Council Member Zittel

WHEREAS, Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Times on September 22, 2022. The Public Hearing Notice was posted on the signboard at the Town Hall and on the Town's website: townofconcordny.com on September 10, 2022;

WHEREAS, the Town Board of the Town of Concord held a Public Hearing on Thursday, October 13, 2022;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Concord does hereby approve the East Concord General Ambulance Service Agreement for the Years 2023, 2024, and 2025.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

4) Mortons Corners Fire Contract --

Council Member Snyder moved the adoption of Resolution 43, seconded by Council Member Zittel:

WHEREAS, Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Journal on September 22, 2022. The Public Hearing Notice was posted on the signboard at the Town Hall and on the Town's website: townofconcordny.com on September 10, 2022;

WHEREAS, the Town Board of the Town of Concord held a Public Hearing on Thursday, October 13, 2022;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Concord does hereby approve the Mortons Corners Fire Protection Agreement for the Years 2023, 2024, and 2025.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

5) Springville Fire Contract –

Council Member Snyder moved the adoption of Resolution 44, seconded by Council Member Zittel:

WHEREAS, Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Journal on September 22, 2022. The Public Hearing Notice was posted on the signboard at the Town Hall and on the Town’s website: townofconcordny.com on September 10, 2022;

WHEREAS, the Town Board of the Town of Concord held a Public Hearing on Thursday, October 13, 2022;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Concord does hereby approve the Springville Fire Protection Agreement for the Years 2023, 2024, and 2025.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

f) Public Hearing 2023 Budget – Supervisor Drozd asked for a motion to set the Public Hearing on the 2023 Budget for Thursday, November 10, 2022 at 6:30 p.m. Motion by Council Member Snyder, seconded by Council Member Zittel, to set the Public Hearing on the 2023 Budget for Thursday, November 10, 2022 at 6:30 p.m. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

g) Authorize Supervisor to Sign Intermunicipal Agreement Village of Ellicottville for KB & Craneridge Sewer Plant – Supervisor Drozd met with representatives from the Village of Ellicottville to review this agreement. The cost is \$100,000.00. Motion by Council Member Drake, seconded by Council Member Zittel, to authorize Supervisor Drozd to sign the Intermunicipal Agreement with the Village of Ellicottville for the Kissing Bridge and Craneridge Sewer Plant. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried

h) Award KB Water Plant Tank Replacement – Supervisor Drozd received two quotes for the tank replacements at the Kissing Bridge Water Plant. These tanks put originally put in that plant in 1998 and four of the five tanks need to be replaced. Council Member Zittel advised that this project is out of our hands; Erie County Department of Health is requiring this work. The use life of these tanks has been expended. Two quotes were received: (1) Ehmke Well Drillers in the amount of \$9,806.00 and The Waterway in the amount of \$11,942.85. Motion by Council Member

Zittel, seconded by Supervisor Drozd, to award the KB Water Plant Tank Replacement project to Ehmke Well Drillers in the amount of \$9,806.00. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried. The cost of this project will come out of the ARPA funds.

i) Senior Center Lighting Project – The Town received the \$5,000.00 NYSERDA check. This needs to be utilized for LED lighting. The other three town buildings have had LED lighting completed; this would be used for LED lighting at the Concord Senior Center. Supervisor Drozd received an estimate of \$5,952.85 for materials and \$5,000.00 for labor for a total of \$10,952.85. The \$5,000.00 NYSERDA check will cover about half of the cost of the project and the rest would be out of the ARPA funds. Installation of LED lighting at the Center should lower the cost of the bills for lighting. Council Member Snyder questioned the Board to see if the Town should wait on this project to see the estimate for the highway garage roof before more ARPA fund money is spent. Supervisor Drozd advised that there are no other projects that this \$5,000.00 NYSERDA money could be used for. Motion by Council Member Drake, seconded by Council Member Zittel, to approve the LED lighting project at the Concord Senior Center as above detailed. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried

j) Second Amendment Rights Resolution – Supervisor Drozd received this Resolution from the Association of Towns.

Council Member Drake moved the adoption of Resolution 45, seconded by Council Member Zittel:

A RESOLUTION IN OPPOSITION TO NEW YORK STATE ACTIONS  
RESTRICTING SECOND AMENDMENT RIGHTS

WHEREAS, Town of Concord has a long, proud tradition of staunchly supporting the 2 Amendment of the United States Constitution, and

WHEREAS, the Town of Concord supports and promotes safe and responsible gun ownership rights of residents across the State of New York, and

WHEREAS, in the wake of the evil, heinous actions against defenseless persons at Tops Market in Buffalo, the New York State Legislature, after that terrible tragedy seized the opportunity to rush through 10 new laws that are meant to erode the right of legal gun owners and punish the legal & legitimate businesses in the firearms industry, and

WHEREAS, shortly thereafter, the Bruen Opinion was handed down from the United States Supreme Court striking down the restrictive nature of laws limiting and pertaining to Pistol Permits in New York, and

WHEREAS, with the ink barely dry on New York's newest gun laws, the New York State Senate and Assembly, in response to the Bruen Opinion, rushed to pass S.51001 & A.41001 during an Extraordinary Session that essentially gutted the Second Amendment rights of citizens across New York State to carry their concealed firearm in public, and

WHEREAS, the New York State Sheriffs' Association recognized, these new laws as "punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment Rights", and

WHEREAS, as Town Board members in the Town of Concord, we take an oath of office to uphold the Constitution and this a clearly a flagrant violation of the constitutional rights of our citizens, taking away their ability to protect themselves and their loved ones and creating a bureaucratic boondoggle that ultimately seeks to disarm our residents, now therefore, be it

RESOLVED, that the Town of Concord Town Board is committed to pursuing all legislative and legal remedies, either alone or in concert with other like-minded municipalities, counties and organizations, to overturn this assault on our Constitutional rights and.

RESOLVED, that copies of this resolution be sent to all Erie County local governments with hope that we can join to overturn these wrong-headed laws.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Honorable Governor Kathy Hochul, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Senate Minority Leader Robert Ort, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Majority Leader of the Assembly Crystal People-Stokes, Honorable Minority Leader of the Assembly William A. Barclay, and the Western New York Delegation and Erie County Executive Mark Poloncarz and the Erie County Legislature, The Association of Towns, and New York State Conference of Mayors.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

k) Zombie Homes – Land Bank Resolution – Motion by Supervisor Drozd, seconded by Council Member Drake, to table this matter. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

l) Hulbert Library Board Resignations – Jennifer Morris, Library Director, advised that Mary O’Reilly and Gwen Bixby have given their resignations effectively immediately. Motion by Council Member Drake, seconded by Council Member Snyder, to accept the resignations of Mary O’Reilly and Gwen Bixby with regrets. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

m) Appointment – Mary Carol Dearing – At their September 15, 2022 library board meeting, the trustees of the Hulbert Library carried a motion to nominate Mary Carol Dearing to fill a vacancy on the library board. Ms. Dearing will be filling the vacancy of Mary O’Reilly; her term will end December 2024. Motion by Council Member Snyder, seconded by Council Member Zittel, to approve the appointment of Mary Carol Dearing to the Hulbert Library Board. Council Members Drake, Zittel & Snyder; Supervisor Drozd, voting aye; Council Member Krzemien, excused. Carried.

n) Lucy Bensley Center Procedure for Use – This matter was discussed earlier this evening in Work Session.

ITEM #6      EXECUTIVE SESSION

There was nothing for Executive Session.

ITEM #7      CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #8      COUNCIL MEMBER NOTES

a) Supervisor Drozd scheduled the next budget work shop for Thursday, October 27, 2022 at 5 p.m.

b) Supervisor Drozd advised that HEAP will be at the Concord Senior Center on Thursday, November 17, 2022 from 10 a.m. to 4 p.m.

ITEM #9      MOTION TO ADJOURN

Motion by Council Member Snyder, seconded by Council Member Zittel, and passed unanimously, to adjourn the meeting at 8:08 p.m. in memory of:

Marilyn Dains  
Lawrence P. Gissel  
Robert E. Kaufmann  
Bruce T. Wotherspoon  
John J. Mihalik  
MaryBeth A. Lanphere  
William E. Dewey  
Alice A. Kennedy  
Kathryn A. Seward

Following the reading of the Memorials, Supervisor Drozd asked for a moment of silence in memory of former Town Council Member Robert E. Kaufmann.



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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

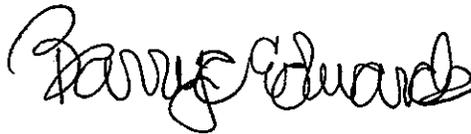
Highway Superintendents Report for the period of September 8, 2022 to October 12, 2022.

With thirty-four days in this period the Highway Department

- The men blended salt and sand for the first time this year and repaired salt shed.
- Finished blowing off roads and picking up unused stone.
- The men continue to clean shop.
- Continue to mow road shoulders.
- Fixed turn around on Abbott Hill Road.
- Cut shoulders on Abbott Hill Road.
- Pumped grease trap behind shop.
- Continue to check on beavers on Kaiser Road.
- Mounted plow frames on truck # 11,12,14,15 & 18.
- Repaired road signs.
- Took truck #12 to Pete Robbins for computer issues.
- Ordered parts for JX90U mower and repaired.
- Cleaned and power washed back shop and painted.
- Continue to mow Senior Center and Cemeteries.
- Hand patched Kaiser, Smith, Abbott Hill, Manchester and Crane Roads.
- Took truck #16 to Emerlings.
- Fixed well casing at KB Water Department.
- Power washed and painted parts room.
- Fixed exhaust pipes on shop heaters.
- Changed winter tires on truck #11,12, 13,14,15, & 18.
- Took scrap to Preivity's.
- Cleaned road ditch on Davis Hill Road.

- Changed Enter and Exit signs at Library.
- Gathered up items in shop for Auction International.
- Brush hog Senior Center.
- All lights have been switched over to LED even cold storage.
- Did brake job on truck #16.

Respectfully Submitted,

A handwritten signature in black ink that reads "Barry Edwards". The signature is written in a cursive style with a long, sweeping flourish that extends upwards and to the right.

Barry A. Edwards  
Highway Superintendent