

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

August 12, 2010

MEETING CALLED TO ORDER BY GARY A. EPPOLITO, SUPERVISOR.

PRESENT: GARY A. EPPOLITO, SUPERVISOR  
JAMES M. KREZMIEN, COUNCILMAN  
WILLIAM F. SNYDER, III, COUNCILMAN  
PAUL F. SALZLER, COUNCILMAN

EXCUSED: DEBORAH A. KING, COUNCILWOMAN  
DENNIS DAINS, HWY. SUPT.

ALSO PRESENT: M. BETH BOLT, TOWN CLERK  
MICHAEL BARONE, TOWN ATTY

GEORGE DONHAUSER  
JESSIE OWENS

INVOCATION DELIVERED BY TOWN CLERK BOLT.

PLEDGE TO THE FLAG LED BY SUPERVISOR EPPOLITO.

ITEM #1. APPROVAL OF MINUTES

a) T/Bd Meeting – 7/8/2010 – Motion by Councilman Krezmien, seconded by Councilman Salzler, to approve the minutes as presented. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye; Councilwoman King, excused. Carried.

b) Special T/Bd Meeting – 7/27/2010 – Motion by Councilman Krezmien, seconded by Councilman Snyder, to approve the minutes as presented. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye; Councilwoman King, excused. Carried.

ITEM #2. PUBLIC COMMENT

a) M. Donhauser addressed the Board. He asked about the 120 days on the roof bids. He had two bidders that wanted to bid but they could not do it in 120 days. Supervisor Eppolito noted that the 120 days is when the bid is accepted not from the night that the bid was granted. It is the time when it is signed. Mr. Donhauser felt that it was past the 120 days. The bid was granted March 11, 2010. Supervisor Eppolito understood it to be when signed. There was an issue with the way the trusses are set. Mr. Donhauser stated wasn't that why you had the engineer? Supervisor Eppolito noted that it was reviewed by the engineer, but being an old building, not everything is clear. He also noted that the shingle color was not available anymore. That took time to make another decision. Mr. Donhauser asked if he could bail out of the contract. Supervisor Eppolito felt that if there were changes, they could bail. Mr. Donhauser asked what happens to the 10%. Councilman Salzler stated that they would lose it. Discussion. Supervisor Eppolito noted that the library roof was done.

Motion by Councilman Salzler, seconded by Councilman Krezmien, to close Public Comment. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye; Councilwoman King, excused. Carried.

ITEM #3. MONTHLY REPORTS

Motion by Councilman Krezmien, seconded by Councilman Salzler, to approve the Monthly Reports, Items a-i. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

- a) Code Enforcement Officer/Building Inspector Report
- b) Dog Control Officer
- c) Nutrition Site Coordinator-June 2010
- d) Judge Gibbin – June 2010
- e) Judge Frank – June 2010
- f) Judge Frank – July 2010
- g) Supervisor Report – June 2010
- h) Fire Department
- i) Highway Superintendent Report - Hwy Supt Dains was not in attendance, but had filed his written report.

ITEM #4. NEW BUSINESS

**a) Budget Transfers** – Motion by Councilman Krezmien, seconded by Councilman Snyder, to approve the budget transfers as listed:

1. Due to the road repairs from the August 2009 storm, the Town has received FEMA funds. To increase appropriation line DB5110.49 Road Repairs in the amount of \$54,221.92 which is funded by the FEMA funds. The entry would be
  - Debit to DB4089 for \$54,221.92
  - Credit to DB5110.49 for \$54,221.92
2. Due to the repairs needed at the Kissing Bridge Sewer we need to increase SS2-8110.49 Sewer Miscellaneous in the amount of \$2,000 to be funded by the Unreserved Fund Balance. The entry is
  - Debit to SS2-599 for \$2,000
  - Credit to SS2-8110.49 for \$2,000.
3. Due to the Justice Department having received a State Grant for the security counter, door, window – we need to increase A1110.2 Justice Equipment line to be funded by the State Grant in the amount of \$10,000. The entry is
  - Debit to A3089 for \$10,000
  - Credit to A1110.2 for \$10,000
4. Due to the purchase of a new boiler at the Hulbert Library. The line A1620.42 Buildings Maintenance needs to be increase in the amount of \$19,777 to be funded by the Unreserved Fund Balance. The entry is
  - Debit to A599 for \$19,777
  - Credit to A1620.42 for \$19,777
5. Transfer of \$10,000 from A1990.4 Contingent to A1440.4 Engineering.
6. Transfer of \$500 from A7110.2 Town Parks Equipment to A7110.49 Town Parks Miscellaneous.
7. Transfer of \$50 from A1990.4 Contingent to A7550.49 Celebrations.
8. Transfer of \$100 from B8010.49 Planning Bd. Miscellaneous to B9050.8 Unemployment Insurance.
9. Transfer of \$4,600 from SF3410.46 Service Awards to SF3410.45 Fire Company Expenses.

Councilman Krezmien moved the approval, seconded by Councilman Snyder, to approve the budget transfers as listed above. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

**b) Audit of the Bills.** Supervisor Eppolito stated that these bills were audited by Councilman Salzler, and reviewed by the Board.

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General Fund A, abstract 8, bills 782-854 & 919-923  
General Fund B, abstract 8, bills 855-863 & 924-925  
Library Fund, abstract 8, bills 864-868  
Fire Protection, abstract 8, NONE  
Joint Van, abstract 8, bills 869-972  
Joint Youth, abstract 8, bill 873  
Craneridge Lighting, abstract 8, NONE  
Craneridge Sewer, abstract 8, bills 874-887  
Highway DA, abstract 8, NONE  
Highway DB, abstract 8, bills 888-910 & 926  
Kissing Bridge Water, abstract 8, bill 911  
Kissing Bridge Sewer, abstract 8, bill 912  
Trevett Rd. Water, abstract 8, bill 913  
Trust & Agency, abstract 8, bills 914-916  
Capital, abstract 8, bills 917-918

Motion by Councilman Salzler, seconded by Councilman Snyder, to approve the bills as presented. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

a) Supervisor Eppolito noted that he would like to pay Buffalo Creek for the work done on the Craneridge Sewer Project. The amount was \$50,597. Motion by Councilman Krezmien, seconded by Councilman Salzler, to add Voucher #927, Capital Fund, Abstract 8, in the amount of \$50,597 to Buffalo Creek. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

Motion by Councilman Krezmien, seconded by Councilman Salzler, to approve payment to Buffalo Creek in the amount of \$50,597.00. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

Supervisor Eppolito wanted to thank Supt. Dains for all his hard work and attention that he has given to this project. It has been invaluable!

**d) Set Work Sessions for 2011 Budget -** Supervisor Eppolito wanted to set the budget hearing dates. Discussion. It was decided to meet on September 13<sup>th</sup>, September 20<sup>th</sup> and September 27<sup>th</sup> at 6 pm. The third date may not be necessary. Motion by Councilman Salzler, seconded by Councilwoman King, to set the above dates for work sessions for the 2011 Budget. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

**e) Use of Town Park -** The Concord Republican Committee would like to hold their annual picnic with beer and wine. Approval was necessary by the Town Board. Motion by Councilman Salzler, seconded by Councilman Krezmien, to grant approval to the Concord Republican Committee use of the Community Park with beer and wine. Councilmen Krezmien, Salzler; Supervisor Eppolito voting aye; Councilwoman King, excused; Councilman Snyder, abstained. Carried.

**f) Intermunicipal Agreement with Village of Springville –** Supervisor Eppolito noted that he had not received an agreement from the village on the Cattaraugus Water District. This would be an agreement between us and the village as to who would be running the district, how it is going to be billed, etc. It has to be reviewed by the town attorney. It will, hopefully, be brought before the Board next month.

**g) Reappoint Daniel Greene to Assessment Board of Review -** Supervisor Eppolito stated that Daniel Greene's term on the Assessment Board of Review expired next month. He had been contacted and would still like to remain on the Board.

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Supervisor Eppolito noted that there is another vacancy and he was accepting recommendations. Motion by Councilman Krezmien, seconded by Councilman Salzler, to re-appoint Daniel Greene to the Assessment Board of Review for a 5-year term. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

**d) Cemetery Request** – Supervisor Eppolito had been contacted by the Maplewood Cemetery Board. They were requesting funding. After the storm, there was a lot of damage done and FEMA had denied them and they did not pursue it further. The state law changed to allow municipalities to subsidize a public cemetery corporation with funding and/or goods and/or services. Burials have decreased and their funds are low. They have outstanding bills and no way to pay them. Supervisor Eppolito also noted that the state law is that if a cemetery board goes broke, the town is responsible. He would like to see if the Board could assist them at least this time. Monies were available. Discussion ensued. The town attorney was directed to review the law. Motion by Councilman Salzler, seconded by Councilman Krezmien, to provide a one-time donation of \$2,500.00, contingent on the town attorney's review of the law, and for the Cemetery Board to pursue FEMA funding and other avenues for donations. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

ITEM #5. OLD BUSINESS

There was no Old Business.

ITEM #6. CONSENT AGENDA

- a) Julie's Pizzeria Liquor License
- b) Amvets Boston Post No. 219 Liquor License

Motion by Councilman Krezmien, seconded by Councilman Salzler to receive and file the Consent Agenda, Item a-b. Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye; Councilwoman King, excused. Carried.

ITEM #7. EXECUTIVE SESSION

There was no Executive Session.

ITEM #8. COUNCILMAN NOTES

a) Supervisor Eppolito informed the Board that there was going to hold a DOT meeting with the village, Ashford and John Mills to discuss the state turning over the high level bridge. It will be September 25<sup>th</sup> at 10 am. Any Board member was invited to attend.

ITEM #9. MOTION TO ADJOURN

Motion by Councilman Salzler, seconded by Councilman Snyder, passed unanimously, to adjourn the meeting at 7:55 p.m. in memory of:

Virginia Errington  
Roger R. Melius  
Dr. Reza Ghaffari  
Nora O'Connor  
Gary T. Wheeler

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