

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

July 14, 2011

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
DEBORAH A. KING, COUNCILWOMAN

ALSO PRESENT: DARLENE SCHWEIKERT, DEPUTY TOWN CLERK
MICHAEL BARONE, TOWN ATTY
DENNIS DAINS, HIGHWAY SUPT.
CAROLYN ROBINSON, Dog Control Officer
GEORGE DONHAUSER
JESSIE OWEN

INVOCATION DELIVERED BY DEPUTY TOWN CLERK SCHWEIKERT.

PLEDGE TO THE FLAG LED BY SUPERVISOR EPPOLITO.

ITEM #1. APPROVAL OF MINUTES

a) T/Bd Meeting – 6/9/2011 – Motion by Councilwoman King, seconded by Councilman Salzler, to approve the minutes as presented. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

ITEM #2. PUBLIC COMMENT

1) Carolyn Robinson addressed the Board to bring the members up to date on the speed limit reduction to 45 mph on Trevett Road. She stated that she had discussed the matter with the Sheriff's Department and even offered the use of her driveway. She did note that some drivers are slowing down.

No one else wished to address the Board. Motion by Councilman Krezmien, seconded by Councilwoman King, to close Public Comment. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

ITEM #3. MONTHLY REPORTS

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

a) Code Enforcement Officer/Building Inspector Report
b) Dog Control Officer
c) Nutrition Site Report – May 2011
d) Nutrition Site Report – June 2011
e) Judge Frank – May 2011
f) Judge Frank – June 2011
g) Judge Gibbin – May 2011
h) Judge Gibbin – June 2011
i) Supervisor Report – May 2011
j) Fire Department – Hwy Supt Dains noted that he had no report for the Village Fire Company.

k) Highway Superintendent Report - Hwy Supt Dains had presented a written report to the Board and will highlight items for the Board.

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1) Hwy Supt Dains reported that under the DOT section where the DOT has been completing items necessary for the town's final acceptance of work on Scoby Hill Road, the crack sealing and standing water on the upper east side of the road has been completed. The only outstanding issue is still the street light installation at the end of Scoby and South Cascade and Hwy Supt Dains will not sign off on this until we get some definitive. It is in the process. The Village is consigned to do the work to install that street light. Hwy Supt Dains will not sign off on that road yet.

2) Hwy Supt Dains noted that the July 14th letter regarding Local Traffic Control Devices for White Street at the intersection of Chaise Road. Hwy Supt Dains would like the Board to consent that the Town Highway Department erect a Stop Sign at the intersection and a Stop Ahead Sign as determined by the Manual of Uniform Traffic Control Devices regulations prior to that stop sign. His letter stated the appropriate statues under NYS Vehicle & Traffic Law, Town Law, and Town Highway Superintendent Manual. Hwy Supt Dains would like to get these signs up as soon as possible after the Board's consent. Motion by Councilman Krezmien, seconded by Councilwoman King, to approve the Hwy Supt's request to place a Stop Sign and a Stop Ahead Sign at the intersection on White Street at Chaise Road according to the MUTCD. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye. Carried. Hwy Supt Dains said that the signs will be up Monday morning.

3) Hwy Supt Dains thanked the Board giving him permission to attend the Highway Superintendents Annual Highway School at Ithaca College. Hwy Supt Dains noted that it is always an enlightening experience every year and there is always something new and interesting.

4) Hwy Supt Dains did a quick update on the major projects. With the weather the department has been backlogged as far as chip sealing and oiling, and milling and paving. They will be doing a joint project with the Village Tuesday milling the Village and mill Tarn Trail Wednesday; pave the Village Thursday and then pave Tarn Trail on Monday of the following week. In the Village they will be doing Buffalo Street from Main Street to Maple Avenue and Franklin Street from Buffalo Street to Central Avenue; where the water project has been completed. Whatever milling we take off we will keep. After that the department will go to oil and chipping in the Village and then to the Town of Concord; Sardinia and Colden. Hwy Supt Dains noted that the Village had been behind in crack sealing because of the weather but Suit Cote now has their crack sealers working Saturdays starting in the Town of Concord tomorrow and work Saturday. They have their own traffic control. After the Town is finished, they will start the Village.

Motion by Councilman Krezmien, seconded by Councilman Salzler, to receive and file the highway superintendent's report. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye. Carried.

ITEM #4. NEW BUSINESS

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

General Fund A, abstract 7, bills 694-787
General Fund B, abstract 7, bills 788-798
Library Fund, abstract 7, bills 799-803
Fire Protection, abstract 7, NONE
Joint Van, abstract 7, bills 804-805
Joint Youth, abstract 7, bills 806-820
Craneridge Lighting, abstract 7, bill 821
Craneridge Sewer, abstract 7, bills 822-831
Highway DA, abstract 7, NONE
Highway DB, abstract 7, bills 832-853
Kissing Bridge Water, abstract 7, bills 854-855
Kissing Bridge Sewer, abstract 7, bills 856-857

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Trevett Rd. Water, abstract 7, bill 858
Trust & Agency, abstract 7, bills 859-860
Capital, abstract 7, NONE

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

b) East Concord Cemetery – Supervisor Eppolito had received a telephone call from Margaret Mayerat shortly after last month’s meeting. We knew this was coming. The East Concord Cemetery is struggling. The lack of burials, changing times; people are opting for cremation more than in past. Supervised Eppolito advised Mrs. Mayerat to send in a letter and some financial documents from the cemetery. It appears that this cemetery is not as bad off as the Maplewood Cemetery was. The big cost of the cemetery is mowing. Discussion about taking over the mowing part of it and bid it out when we bid out the Spaulding Road Cemetery but this would be setting precedence. Councilman Krezmien said that there is no comparison between Maplewood and East Concord. He does not know what is fair. Councilman Salzler noted that we would have to be specific on what we do give them. Figure out mowing costs a certain amount times how many times the cemetery would be mowed. Supervisor Eppolito noted that if someone from the cemetery were here tonight we could’ve gotten more information. Supervisor Eppolito said he could ask Mrs. Mayerat what they would need to finish out this year and we can discuss it over the winter for the future. The financial documents submitted by the Cemetery show some trust fund monies which could be used for flowers, lot care and maintenance. Motion by Councilman Krezmien, seconded by Councilwoman King, to table this matter until the August meeting to obtain more information. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye. Carried.

c) Speed Limit on Mortons Corners Road – Supervisor Eppolito had received letter from Pastor Bob Bridge of the Mortons Corners Baptist Church. Pastor Bridge has done some wonderful things in that hamlet and is building up his congregation. Pastor Bridge notes the location of the church, the fire hall and the cemetery as well as many children and people walking on the road. Pastor Bridge is concerned about the speed limit on Mortons Corners Road from Genesee Road south to Route 39. The letter also requests that two church signs be posted. A TE-9 form would have to be filed with a resolution from the Board. Councilman Snyder moved the adoption of Resolution 16, seconded by Councilman Salzler:

WHEREAS, The Town Board has received a request to lower the speed limit on Mortons Corners from Genesee Road to Route 39 and to have two church signs posted; and

WHEREAS, This is a County of Erie road, and

WHEREAS, This request is being made due to location of the church, the fire hall, and cemetery as well as many children and people walking on the road, and

NOW, THEREFORE BE IT

RESOLVED, That the Town Board of the Town of Concord does hereby petition the County of Erie and the County Department of Public Works to lower the speed limit on Mortons Corners Road from Genesee Road to Route 39 to 45 mph and to have two church signs posted.

Voting as follows:

Councilwoman King	Aye
Councilman Krezmien	Aye
Councilman Salzler	Aye
Councilman Snyder	Aye
Supervisor Eppolito	Aye

d) Mortons Corners Baptist Church – Supervisor Eppolito had received a letter from Pastor Bob Bridge of the Mortons Corners Baptist Church. Pastor Bridge is

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requesting that the Town waive the commercial building permit fee of \$500 for the improvements the Church will be making to the premises at 5962 Route 39 when the Church converts the former bar into a building to be used for church activities and community events. Supervisor Eppolito noted that what the Church is doing is sincere but (a) it is a church (separation of church and state) and (b) what kind of precedent would we be setting if we waive the fee. Councilman Krezmien noted that CEO Atkinson will need to do a lot of inspections on this project as it moves along. Supervisor Eppolito noted that we have in past waived the fee for the fire company but we fund that agency in our budget. Motion by Councilman Krezmien, seconded by Councilman Salzler, to deny the request due to the amount of work that CEO Atkinson will have to do and that it creates a precedent. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye. Carried. Supervisor Eppolito will send Pastor Bridge a letter explaining the Board's decision. Discussion about what the project would be and if it would be just an alteration which would be a lesser fee. If it is going to be a Youth Center, there may be further Codes with regard to sprinkler systems/water/fire. Supervisor Eppolito will discuss the matter with CEO Atkinson.

e) Springville Center for the Arts Capital Project – Supervisor Eppolito had been asked by Seth Wochensky of the Springville Center for the Arts to have the Town Board accept their Resolution supporting the Springville Center for the Arts' capital improvement project to restore and renovate the former Baptist Church into a multi-arts center. Councilman Krezmien moved the adoption of Resolution 17, seconded by Councilwoman King.

WHEREAS, the Town of Concord and the Village of Springville Joint Comprehensive Plan calls for strengthening the Village of Springville as the civic, cultural and economic center of the Town of Concord and the surrounding nine-town area; and

WHEREAS, the Comprehensive Plan also calls for the revitalization of downtown Springville, including the façade renovation; and

WHEREAS, the 1869 former Baptist Church is a significantly contributing structure of historic downtown Springville; and

WHEREAS, Springville Center for the Arts has shown themselves to be earnest stewards of this architectural landmark; and

WHEREAS, Springville Center for the Arts provides performances, exhibitions, workshops and other arts activity for all segments of the population which greatly enhances the cultural landscape and quality of life in the Town of Concord; and

WHEREAS, Springville Center for the Arts provides programming which greatly promotes downtown economic development and revitalization;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Concord fully supports Springville Center for the Arts' capital improvement project to restore and renovate the former Baptist Church into a multi-arts center; and be it further

RESOLVED, that the funding of this project is strongly encouraged to match the volunteer and financial contributions so many residents of the Town of Concord have made.

Voting as follows:

Councilwoman King	Aye
Councilman Krezmien	Aye
Councilman Salzler	Aye
Councilman Snyder	Aye
Supervisor Eppolito	Aye

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f) Bicentennial of the Town of Concord – Supervisor Eppolito noted that next year is the bicentennial year of the Town of Concord. He has been in contact with Historian David Batterson and meetings will be starting in preparation for the event. The Town of Concord will need to help out financially. Councilwoman King volunteered to be on the committee. The date has not yet been confirmed. Discussion about Dairy Fest and the 4th of July events and the possibility of combining some of these events. It rained on the Saturday morning of the Dairy Fest and the festival lost money this year but is still in the black. They are planning already for next year. The fireworks helped the event. Supervisor Eppolito also noted that the 4th of July was absolutely gorgeous. Councilman Salzler also noted that the 4th of July went well. He thinks that maybe the band should play a little longer but it was a nice night.

ITEM #5. OLD BUSINESS

There was no Old Business.

ITEM #6. CONSENT AGENDA

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

- a) Felton Burns VFW Post 5260 Liquor License
- b) Association of Erie Co. Govt. – May 26, 2011 Minutes
- c) Hot Dog Roast – John Mills
- d) CDBG Program
- e) Spr. Chamber 6/2/11 minutes
- f) Supervisor presentation on 5/1 at Public Hearing
- g) Erie Co. Water Quality Committee
- h) Love Inc. Newsletter
- i) Collins Library proposal.

ITEM #7. EXECUTIVE SESSION

None was required.

ITEM #8. COUNCILMAN NOTES

- a) Councilman Salzler noted that he was going to discuss the 4th of July event that had been discussed earlier. It was nice and there were a lot of people and he heard good comments.
- b) Councilwoman King noted that the Town joined with Brenda's Brigade for the Relay for Life and the Town brought in about \$745. Total for the team was about \$4,800. The total is down a little from last year. The final meeting is tonight. Discussed the event and possibly cutting the hours down. After 10 p.m., people start to leave. Discussion also about possibly joining in with another town or supporting a different organization.
- c) Hwy Supt Dains showed the Board members a piece of memorabilia that Bob Randall had found. It is the Town Highway Time Book, #1, Year 1918 and 1919. Mr. Randall would like the book back after the Town reviews it.

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ITEM #9. MOTION TO ADJOURN

Motion by Councilman Salzler, seconded by Councilwoman King, passed unanimously, to adjourn the meeting at 7:45 p.m. in memory of:

Phyllis A. Nason
Duane P. Dearmyer
John M. McHugh
John H. Arbogast
Harold Elmer Reiner
Ian Patrick Tuttle
Noreen K. Nason
Margaret Wagner

Darlene G. Schweikert
Deputy Town Clerk