

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

April 12, 2018

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  
TIMOTHY P. FRANK, Town Justice  
LESLIE J. GIBBIN, Town Justice  
ELEANOR ESCHBORN, Senior Center Director  
GEORGE DONHAUSER COLLEEN MAHONEY, Springville Journal  
SETH WOCHENSKY ALICIA DZIAK, Springville Times  
MARY JANE MIESS JOHN MIESS  
DEBBIE HINTZ JULIE FRANCISCO

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DRAKE

ITEM #1. APPROVAL OF MINUTES

a) Work Session – 3/6/2018 – 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 – 3/6/2018 -- Motion by Councilman Snyder, seconded by Councilman Krezmien, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

c) Spring Trash Bid Opening – 4/2/2018 – Motion by Councilman Krezmien, seconded by Councilman Snyder, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

d) Special Town Board Meeting – 4/2/18 – Motion by Councilman Zittel, 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. Julie Francisco asked the Board if the Town had an emergency policy/procedure that would be followed for notifying residents during a storm or power outage; notifying the residents that the Senior Center would be open as a warming station. Supervisor Drake advised that the Town does have a Disaster Coordinator and there has been some discussion as to when his authority would take effect and how the Town should proceed. Supervisor Drake announced at the April 2<sup>nd</sup> Special Town Board Meeting that the Town had been approved through the Community Development Block Grant program for the purchase of a generator for the Senior Center. Once that generator is installed, the Town will be more active in making the Senior Center a warming center. However, during these storms, the fire departments and highway department are busy. Supervisor Drake will be forming a committee and asked Ms. Francisco if she would be

willing to help and she graciously accepted. He'd like to come up with a list of volunteers that could be called to assist in an emergency. Supervisor Drake said the Town is looking into this full speed ahead to see how we would handle these emergencies going forward. The Town has had one meeting with the Village and some of the fire departments already and will continue to try to figure this out. Supervisor Drake thanked Ms. Francisco and he will be in contact with her directly to discuss this matter further. DCO Robinson advised that CodeRed sent out alerts to her landline. A cell phone number could also be used for receive these alerts. Residents can sign up using the Town of Concord's Website. Senior Center Director Eschborn noted that the Senior Center would also be used as a cooling station on days when the temperatures are extremely hot and residents need air conditioning. The Senior Center would be stocked with basic supplies: water, crackers, peanut butter.

2. Senior Center Director Eschborn introduced Debbie Hintz from SCENE. They are working together to bring programs to the Senior Center. They are working with the Fiddlers Green Manor Marketing Director and Bertrand Chaffee Hospital to have seminars, lectures, events- health care related at the Senior Center; there will be a free seminar at the Senior Center on April 26<sup>th</sup> discussing the basic differences between Medicare and Medicaid.

Debbie Hintz, Community Coordinator for SCENE, has been working with Senior Center Director Eschborn. One of the upcoming projects is University Express/SCENE Speaker Series. Tomorrow Rick Falkowski, founder of the Buffalo Music Hall of Fame will be at the Center. There will also be a representative from Erie County coming to see how they are doing; along with working together and how we present the programs. This is a joint effort between SCENE, the Senior Center, Healthy Community Alliance and Erie County. The second event is Older Americans Month which is May and they are having an "Age Out Loud Celebration." This year's theme is "Engage at Every Age." This will be held May 30<sup>th</sup> at the Concord Senior Center. Flyers were available for these events. Supervisor Drake noted that it was good to see the groups working together and he appreciates their efforts.

Senior Director Eschborn noted that there is a great need in the area for services. No one really knows where to go or what to do. Director Eschborn, Debbie Hintz/SCENE, Love Inc., will be meeting on April 30<sup>th</sup> with Erie County Connect/Community Concern of WNY who will help them compile a list of services and contact information.

3. Seth Wochensky, Executive Director at the Springville Center for the Arts; he brought a proposal to the Town. The last couple of years, the Center has brought "Shake on the Lake" (which is a professional Shakespeare Company out of the Silver Lake area) to do performances on Thursdays. He'd like to propose to have them come to Springville August 9<sup>th</sup>. Mr. Wochensky would like to merge that program with the Concert in the Park series. The Art Center is willing to put in a certain amount of money to make it happen. It is a free event; they have had great attendance at these events. Mr. Wochensky wanted to speak to someone from the Town to see if this could be incorporated into our Concert in the Park series. Supervisor Drake asked if the event could be held on any other night because the Concert in the Park series has just been completed for the upcoming 2018 series. Mr. Wochensky will check and follow up with Supervisor Drake; if not for this year, maybe next year.

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 Krezmien, to approve the Monthly Reports, Items a-h. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

- a) Code Enforcement Officer – March 2018
- b) Dog Control Officer – March 2018
- c) Town Clerk Report – March 2018
- d) Judge Frank Report – February 2018
- e) Judge Frank Report – February 2018
- f) Judge Gibbin Report – February 2018
- g) Nutrition Site Report – March 2018
- h) Senior Center Director Report – March 2018

i) Highway Report - Hwy Supt Dains reviewed his filed report.

1) Hwy Supt Dains advised that the Town's CHIP's allotment had been approved by the State. There is an overall increase of \$332.29 from last year's allotment.

2) Prior to the Board meeting, Hwy Supt Dains had provided the Board with his Agreement to Spend Town Highway Funds for their review.

Motion by Councilman Krezmien, seconded by Councilman Zittel, to accept the Hwy Supt Report and to approve and sign the Agreement to Spend Town Highway Funds. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

j) Fire Department Report –

1) Supervisor Drake had attended the Springville Fire Company Chicken BBQ; it was good. Councilman Drozd noted that the company sold out of dinners.

2) Councilman Drozd brought the Board up to date on the project at the West Main Street Fire Hall. The corporation side of the fire company is doing some concrete floor repair, primarily on the floor drain, in the building that was built in 1988. It exceeded its life with the salt usage; no outside work is going to happen.

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 Zittel, and reviewed by the Board.

General Fund A, abstract 4, bills 273-355; \$33,950.75  
 General Fund B, abstract 4, bills 356-363; \$614.78  
 Library Fund, abstract 4, bills 364-366; \$605.54  
 Fire Protection, abstract 4, NONE  
 Joint Van, abstract 4, bills 367-371; \$1,411.57  
 Joint Youth, abstract 4, bills 372-373; \$4,435.64  
 Craneridge Lighting, abstract 4, bills 374-375; \$3,411.05  
 Craneridge Sewer, abstract 4, bills 376-382; \$2,600.45  
 Highway DA, abstract 4, NONE  
 Highway DB, abstract 4, bills 383-406; \$36,675.06  
 Kissing Bridge Water, abstract 4, bill 407; \$22.00  
 Kissing Bridge Sewer, abstract 4, NONE  
 Trevett Rd. Water, abstract 4, NONE  
 Cattaraugus St. Water, abstract 4, NONE  
 Trust & Agency, abstract 4, NONE  
 Capital (HA) Craneridge Sewer, abstract 4, bills 408-409; \$2,646.23  
 Capital (HB) Land, abstract 4, NONE

Capital (HD) Catt St, abstract 4, bills 410-411; \$155.67  
 Capital (HE) Sr. Ctr, abstract 4, bills 412-413; \$9,962.31  
 Capital (HF) Hwy Equip, abstract 4, bills 414-415; \$2,801.91  
 Capital (HG) Waste Study, abstract 4, NONE

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

b) **Award Spring Trash Bid** – Supervisor Drake noted that two sealed bids had been received. MRC Disposal was the lowest bidder at \$12,960.75. The second bid was Waste Management in the amount of \$13,000.00. Motion by Councilman Drozd, seconded by Councilman Zittel, to award the Spring Trash Pickup to MRC Disposal for \$12,960.75. Councilman Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

The Townwide Spring Trash Pick Up will begin Monday, May 14<sup>th</sup>. Town Clerk Schweikert will contact MRC Disposal to review the display ad and then advertise in the Springville Times and put the information on the Town's signboard and website.

c) **Award Mowing Bid** – Supervisor Drake had received five RFPs for the mowing of Spaulding Road, East Concord and Mortons Corners Cemeteries and the Concord Senior Center for the 2018 season.

- 1) Emerald Lawn Service Plus \$4,900.00
- 2) Larry K. Heim \$5,250.00
- 3) Lee Lawn Care \$8,300.00
- 4) Nature's Pride \$5,300.00
- 5) ST&J's Lawn Care & Landscaping \$5,000.00

Motion by Councilman Snyder, seconded by Councilman Krezmien, to award the mowing of the cemeteries and the Concord Senior Center to low bidder Emerald Lawn Service Plus in the amount of \$4,900.00 for the 2018 season. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

d) **2018 Municipal Clerk's Week** – Supervisor Drake noted that May 6<sup>th</sup> through May 12<sup>th</sup>, 2018 is Municipal Clerk's Week. Supervisor Drake read the Proclamation.

Councilman Krezmien moved the adoption of Resolution 3, seconded by Councilman Zittel:

**PROCLAMATION  
 MUNICIPAL CLERK'S WEEK  
 MAY 6<sup>th</sup> THROUGH MAY 12<sup>th</sup>, 2018**

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, the Concord Town Board recognizes the week of May 6<sup>th</sup> through May 12<sup>th</sup>, 2018 as Municipal Clerk's Week, and further extends appreciation to our Municipal Clerk, Darlene G. Schweikert, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, the Concord Town Board recognizes the week of May 6<sup>th</sup> through May 12<sup>th</sup>, 2018 as Municipal Clerk's Week, and further extends appreciation to our Municipal Clerk, Stephanie A. Bacon, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Voting as follows:

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

The foregoing Resolution was thereupon declared duly adopted.

e) **Accept Resignation of Sharon Fisher** – Supervisor Drake noted that in his haste to get a new person appointed as the part-time cleaner, the Board did not officially accept the resignation of Ms. Fisher. Motion by Councilman Krezmien, seconded by Councilman Zittel, to accept the resignation of Sharon Fisher as the part-time cleaner at the Senior Center, effective March 15, 2018, with regrets. Councilman Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried. The Board wishes Ms. Fisher well.

f) **Accept Resignation of Amy Schosek** – Supervisor Drake informed the Board that Court Clerk Schosek finished her nursing degree and is has a job at a hospital. Motion by Councilman Drozd, seconded by Councilman Krezmien, to accept the resignation of Amy Schosek as Court Clerk, effective March 29, 2018, with regrets. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried. The Board wishes Ms. Schosek success in her new position.

g) **Hulbert Library Appointments** – The Hulbert Library Board of Trustees met on April 5<sup>th</sup> and have provided the Town Board with the names of two people to appoint to their Board. Motion by Councilman Drozd, seconded by Councilman Snyder, to appoint Stephanie Bacon and Robert Adler to the Hulbert Library Board of Trustees. These are five year appointments. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

h) **Assessment Board of Review Appointment** – Motion by Councilman Snyder, seconded by Councilman Zittel, to appoint David Guadagna to the Board of Assessment Review. His term will expire September 2022. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Supervisor Drake asked the Board for a motion to add an additional item to the Agenda. Motion by Councilman Krezmien, seconded by Councilman Zittel, to add Agenda Item (i). Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

i) **Town of Alden EMS Support Letter** – Supervisor Drake had discussed this matter during Work Session. The Town of Alden is looking for letters of support in their application for permanent ambulance operating authority in the Town and Village of Alden. The Town of Concord just went through this process. Motion by Councilman Krezmien, seconded by Councilman Drozd, to authorize Supervisor Drake to send a letter of support to the Town of Alden. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

j) Supervisor Drake asked Town Justices Frank and Gibbin if they wanted to address the Board. Judge Gibbin stated that the Board just accepted the resignation of Amy Schosek. Judge Gibbin has been reaching out to several people trying to get a question answered because the Judges wanted to have two people share one position and they wanted to know if that was permissible. The answer to that question is yes, but it has to go to the State level for approval and that would take forever so the answer is actually no. The Court Clerk position is created by Town Law, but then the NYCRR also controls different facets of operation and then there is the NYS Civil Service law so it actually comes under three different headings. Judge Gibbin talked to the Erie County Department of Personnel Representative Mindy who is the head of Civil Service. The Judges plan is to prepare a letter and give it to the Board for submission to Erie County for a Deputy Clerk. If that is not approved, the Judges will need to advertise again for the open position and hire someone and have them trained. The Town is not in jeopardy of being fined. Erie County Representative Mindy considers this as emergency personnel because the Court needed somebody. If this Deputy Clerk doesn't work, the Court would advertise and hire and then the Village Court Clerks could still train for another 60 days. These positions are Civil Service but not tested Civil Service positions. Judge Gibbin will prepare a letter of intent with their plan. The Village Court Clerks are experienced; individually they cannot commit the time to cover our Court Clerk hours. Together they can but the Civil Service law goes by head count. Judge Frank noted that each Judge is entitled to one Court Clerk. There is an extra position that they need to apply for approval to add that additional Clerk. The application is for a Deputy Clerk and that

application would be provided to Civil Service and then the Erie County Legislators to seek approval. Judge Frank would ask that our Board reach out to Legislator Mills to see if this could get fast tracked by the Legislators. If Civil Service and the Legislators approve, the problem is solved. If not, the Judges will have to advertise the position. Supervisor Drake reviewed the background of this matter for those in attendance. Court Clerk Roth was on maternity leave and the Town appointed the two Village Court Clerks to help out Court Clerk Schosek. Then Court Clerk Roth came back but Court Clerk Schosek was leaving for her new position. If this new Deputy Clerk position is granted, Court Clerk Roth and Village Court Clerk Debbie Smith would be the two Clerks and Village Court Clerk Julie Moriarty would be the Deputy Clerk. Judge Frank and Judge Gibbin want the record to reflect that Court Clerk Schosek was the Clerk for many years and did a good job for them; they appreciate her service; and she will be sadly missed, but she has gone on to a great career after finishing her college degree. Supervisor Drake advised that the Board will continue to work with the Judges and thanked Justice Frank and Justice Gibbin for coming tonight.

ITEM #6.      CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #7.      COUNCILMAN NOTES

a) Councilman Snyder has been working with Town Attorney Alianello and representatives from Craneridge regarding their lighting district. MDA Engineers provided a Craneridge Lighting District LED Street Light Installation Report dated April 4, 2018, which contains two alternate options that had not been discussed previously with the Craneridge representatives; LED lighting through NYSEG with street lighting at intersections or with street lighting throughout Craneridge.

Before a public meeting is scheduled with the residents of Craneridge, Councilman Snyder would like to meet with the representatives of Craneridge and Town Engineer Alianello to review these options. He would like to have the public meeting in late May. Supervisor Drake noted that Craneridge has their own facebook page so maybe that could be used to get the word out to the residents of the public meeting.

b) Councilman Snyder attended an SYI Board meeting. SYI is getting ready for their summer programs. Also the baseball Opening Day Ceremony will be on May 20<sup>th</sup> at Community Park.

c) Councilman Drozd advised that Jennifer Morris has been named the new librarian at the Hulbert Library and the Library Board of Trustees look forward to working with her.

d) Councilman Zittel reminded the Board that the East Concord Fire Department Installation Dinner is April 21<sup>st</sup>.

e) Councilman Zittel advised that Park Supt Schweikert and Joe Krzemien will be Community Park is getting ready for the season. Schweikert and Krzemien are a good combination with Joe's years of experience and Chuck's knowledge from the Erie County Parks.

f) Councilman Zittel had attended the Comprehensive Master Plan meeting on April 4<sup>th</sup>. The committee is reviewing the final draft prepared by Wendel.

g) Councilman Zittel thanked Senior Center Director Eschborn for her work at the Senior Center. He has driven by the Senior Center and the parking lot is full. She is bringing many activities to the Center.

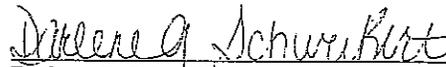
h) Supervisor Drake joked that he has survived his first 100 days as Town Supervisor and is still standing. Supervisor Drake has been working with Town Engineer Alianello regarding the Kissing Bridge Sewer District and had a meeting with Kissing Bridge President Rich Fanelli to renegotiate the sewer district agreement. He found Mr. Fanelli to be receptive. The last agreement was done in 1998.

i) Supervisor Drake attended schooling in Ellicottville on finances and accounting and learned a lot. There will be an advanced class on this topic in the Fall. He reminded the Board that Houghton training is May 9<sup>th</sup>.

ITEM #8. MOTION TO ADJOURN

Motion by Councilman Krezmien, seconded by Councilman Zittel, and passed unanimously, to adjourn the meeting at 7:47 p.m. in memory of:

Carlton W. Becker  
Ruth M. Stanford  
Carolyn M. McCarthy  
Carolynne R. Wulf  
Nancy J. Morlok  
Maisie Mae Everts  
Cleo M. Smith  
Jean Heinz  
James W. Smith



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Darlene G. Schweikert  
Town Clerk