

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

June 14, 2018

MEETING CALLED TO ORDER AT 7:20 P.M.
BY CLYDE M. DRAKE, SUPERVISOR.

PRESENT: CLYDE M. DRAKE, SUPERVISOR
JAMES M. KREZMIEN, COUNCILMAN
KENNETH D. ZITTEL, COUNCILMAN
WILLIAM F. SNYDER, III, COUNCILMAN

EXCUSED: 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
GEORGE DONHAUSER COLLEEN MAHONEY, Springville Journal
JESSICA SCHUSTER RICH PLACE, Springville Times
MARY JANE MIESS JOHN MIESS
WENDE PUKAY BILL GUGINO

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DRAKE

ITEM #1. APPROVAL OF MINUTES

a) Work Session – 5/10/2018 – Motion by Councilman Krezmien, seconded by Councilman Snyder, to approve the minutes as presented. Councilmen Krezmien, Zittel & Snyder; Supervisor Drake, voting aye; Councilman Drozd, excused. Carried.

b) Town Board Meeting – 5/10/2018 – Motion by Councilman Zittel, seconded by Councilman Krezmien, to approve the minutes as presented. Councilmen Krezmien, Zittel & Snyder; Supervisor Drake, voting aye; Councilman Drozd, excused. Carried.

ITEM #2. PUBLIC COMMENT

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

Wende Pukay, President of SYI, and Bill Gugino, President of The Club of Springville (formerly The Boys & Girls Club) advised the Board that the two organizations are working on a merger and that as they progress, they would keep the Board informed of what was going on with the merger. Supervisor Drake advised he appreciates that and once the merger is complete and the structure is finalized, he would like a copy of the agreement. Mr. Gugino will do that; they hope to have it all together in the next couple months. The two organizations service the same kids; SYI has been involved in the sports end of activities and The Club does the after-school/summer activities; and now they will work together and make it better for our youth and community. Mr. Gugino advised that The Club of Springville has legally separated from The Boys & Girls Club. They were under the Orchard Park Chapter; they were never their own Chapter. The cost of being involved with The Boys & Girls Club, especially having to go through Orchard Park, was really a burden financially. The Club of Springville will maintain a model close to the Boys & Girls Club. The employees that they have are phenomenal and the job the employees do for the kids is absolutely incredible. The Club has been without the Orchard Park Boys & Girls Club for six weeks now and has not lost a beat; their day camp already has 46 kids signed up for 11 weeks. This is important to the working parents in the area. Going forward he believes it will be

a great relationship and hopefully will increase the programming for the kids. Councilman Krezmien asked about the funding. The Village and Town currently provide funding to SYI. Would the funding that The Boys & Girls Club had still continue or would The Club look for more funding from the Town and the Village? Mr. Gugino indicated that it was too early to know what they are going to need right now. Mr. Gugino noted that The Boys & Girls Club did receive \$5,000 from the Town; most of the other funding was done by fundraiser and some grant money. Very little money, if any, came from The Boys & Girls Club itself. The Club will continue to do fundraisers. There is a Golf Tournament on June 25th at the Country Club in Springville and there is a Softball Tournament on July 28th at Community Park. Mr. Gugino stated that The Club will continue to operate as they were and they will be sitting down and looking at the financial part of it. At the end of the day, this move was to make one strong organization so that when they are looking for additional money, whether it is from an individual or the Town or the Village, they will be looking at one organization rather than two different organizations.

Councilman Snyder noted that he has been attending a number of the SYI meetings and has had conversations with members of both boards on this subject. He commended both boards, both organizations have strong leadership and dedicated committee members working hard for youth activities in the community which is great to see. In some cases he believes that the two organizations were probably competing for the same funds so by combining, joining efforts would probably give them a better chance of funds. From the conversations he has had with board members and he knows this is not definitive but from conversations he had it was actually not to be dependent on public funding; that there is a strong commitment to fundraising. Mr. Gugino noted that from a personal standpoint and from a taxpayer standpoint that if our kids are not the most important asset we have in this town than he does not know what is so if he is talking some additional money down the road, whenever that may be, he is not afraid to say that it would be going to the best thing we have: our kids. From The Club's end of it, the kids are some of the kids that really need it the most; a lot of the kids that are in the sports programs have good homes with two parents at home; a lot of the kids that go to The Club may not have that same situation. If we invest in these kids, we are investing in our Town/Village. Every penny raised goes to the kids; not to anybody else. Nothing is going to overhead, executives or the Board. Ms. Pukay advised that they are not looking to come in two months/six months down asking for more money. They will go through all their organizations and see where they are at before they would even contemplate doing that. They believe this merger is the best thing for the community rather than competing for everything. Ms. Pukay said they have a good board and hope to be able to add on some new programs and expand on some of the programs that are here. They are trying to keep it at a cost that our families in this area can afford so they can send their children to do multiple things.

Supervisor Drake noted that the Board appreciates both Ms. Pukay and Mr. Gugino coming tonight and updating the Board on their merger. Ms. Pukay and Mr. Gugino thanked the Board. Mr. Gugino advised that he will come back to the Town Board once the merger has been finalized. They left the meeting at 7:32 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; Supervisor Drake, voting aye; Councilman Drozd, excused. Carried.

ITEM #3. MONTHLY REPORTS

Motion by Councilman Snyder, seconded by Councilman Krezmien, to approve the Monthly Reports, Items a-1. Councilmen Krezmien, Zittel & Snyder; Supervisor Drake, voting aye; Councilman Drozd, excused. Carried.

- a) Code Enforcement Officer – May 2018
- b) Dog Control Officer – May 2018
- c) Supervisor Report – January 2018
- d) Supervisor Report – February 2018

- e) Supervisor Report – March 2018
- f) Supervisor Report – April 2018
- g) Town Clerk Report – May 2018
- h) Judge Gibbin Report – April 2018
- i) Judge Frank Report – April 2018
- j) Judge Frank Report – May 2018
- k) Nutrition Site Report – April 2018
- l) Nutrition Site Report – May 2018
- m) Highway Report - Hwy Supt Dains reviewed his filed report.

1) Hwy Supt Dains also noted that in upcoming weeks his department will be doing mutual aid in Colden with cold mix pave; in the Village of Springville doing milling on Franklin Street and Church Street from Buffalo to North Central and when the millings come off they will be the property of the Town for use by the Town for shoulders and also help do oil and chipping; in Sardinia doing oil and chipping. When his department does their oil and chipping, Colden, Sardinia and the Village will come help us. The departments continue to do shared services.

2) Yesterday Hwy Supt Dains attended a seminar on NYS DEC new Solid Waste Regulations and what to do with excavated material from municipal maintenance activities and construction. Everything that the Town has been doing in the past is legal; we are in total compliance with the DEC. It was a good seminar. Hwy Supt Dains also thanked the Board for letting him go to Highway School last month. It was his 13th year of attendance and every year he learns something new.

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

- j) Fire Department Report – none

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 Snyder, and reviewed by the Board.

General Fund A, abstract 6, bills 560-639; \$49,736.10
 General Fund B, abstract 6, bills 640-650; \$19,414.59
 Library Fund, abstract 6, bills 651-653; \$1,644.93
 Fire Protection, abstract 6, bills 654-655; \$123,453.48
 Joint Van, abstract 6, bills 656-659; \$3,244.22
 Joint Youth, abstract 6, bills 660-661; \$1,338.83
 Craneridge Lighting, abstract 6, bills 662-663; \$5,787.54
 Craneridge Sewer, abstract 6, bills 664-672; \$5,139.84
 Highway DA, abstract 6, NONE
 Highway DB, abstract 6, bills 673-690; \$138,038.06
 Kissing Bridge Water, abstract 6, bills 691-692; \$37.25
 Kissing Bridge Sewer, abstract 6, NONE
 Trevett Rd. Water, abstract 6, NONE
 Cattaraugus St. Water, abstract 6, NONE
 Trust & Agency, abstract 6, bill 693; \$648.04
 Capital (HA) Craneridge Sewer, abstract 6, NONE
 Capital (HB) Land, abstract 6, NONE
 Capital (HD) Catt St, abstract 6, NONE
 Capital (HE) Sr. Ctr, abstract 6, NONE
 Capital (HF) Hwy Equip, abstract 6, NONE
 Capital (HG) Waste Study, abstract 6, NONE

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

b) CDBG Grant Resolution – Supervisor Drake received the contractual agreement between the Town of Concord and Erie County for implementing the Town's 2018-19 Community Development Block Grant Project (Concord Senior Center Generator Installation Project). Copies of the Agreement had been provided to the Board members and Town Attorney Attea. This is a grant for \$50,000 to purchase a generator and have installation completed by the end of the year. Supervisor Drake pointed out to the Board that the Town is responsible for contributing 25% of the final cost of the project. The Town will work with MDA Engineers on this project. Supervisor Drake asked the Board for a Resolution authorizing him to sign the Community Development Block Grant Agreement which will allow the Town to get the project started.

Councilman Krezmien moved the adoption of Resolution 6, seconded by Councilman Zittel:

Supervisor Drake is hereby authorized to sign the "Community Development Block Grant Subrecipient Agreement Between The County of Erie and The Town of Concord for Concord Senior Center Generator Installation Project" which will allow the Town to get the project started.

Voting as follows:

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

The foregoing Resolution was thereupon declared duly adopted.

c) Permit Fees – Supervisor Drake advised that over the past year, the Planning Board had reviewed the Application Fee Schedule and Building Permit Fee Schedule and compared the Town's fees with those of surrounding towns. The Planning Board recommended the following changes to the Town Board:

Application Fee Schedule:

- A. Rezoning Application: \$100
Increase to \$500. Increase because there are costs involved to the town and the fee should cover those.
- B. Special Use Permit: \$100
No Change
- C. Zoning Board of Appeals Application: \$100
Increase to \$500. Increase because there are costs involved to the town and the fee should cover those.
- D. Site Plan for Subdivision Application, \$100, plus \$50 per lot.
No Change
- E. Mobile Home Court Application: \$200 per annum
Increase to \$300. Increase because CEO has to go out to these trailer parks a couple of times.
- F. Mining and reclamation: \$200 per annum, plus any required bonds
No Change
- G. Temporary Mobile Home Permit per annum on individual lots: \$100
DELETE
- H. Temporary Mobile Home Permit, if permitted, not to exceed a period of more than three years: \$50
Increase to \$100 per annum.
- I. Temporary permit to store mobile homes for sale purposes for six months: \$50
Increase to \$100.
- J. Business Permit: \$100

- No Change.
- K. Sign Permit: \$35
Increase to \$50.
- L. Junkyard Permit, per annum: \$50
No Change
- M. Home Occupation: \$100
No Change
- N. Solar Panel Fee per application: \$100
No Change
- O. Special Use Permit – Telecommunications Tower: \$1,500
*each co-location/accessory/alteration: \$500
Increase Tower to \$2,500 and increase co-location/accessory/alteration to \$1,000.
- P. Sewer Tap, per sewer connection: \$500.
Increase to \$1,000.

Building Permit Fee Schedule:

The Planning Board members do not feel that any of these fees need to be increased but would recommend to the Town Board that the Re-Issue of a building permit be changed. Currently it is "Fee is half of the original permit fee". The Planning Board members recommend that the re-issue fee be the same price as the original permit fee, payable yearly. The Planning Board members feel that this would make residents finish their construction more quickly because the Town has in past have residents re-new their permit for several years at this reduced rate.

Motion by Councilman Zittel, seconded by Councilman Krezmien, to approve the Application Fee Schedule and Building Permit Fee Schedule as recommended by the Planning Board. Councilmen Krezmien, Zittel & Snyder; Supervisor Drake, voting aye; Councilman Drozd, excused. Carried.

d) **Cable Franchise Agreement** – Supervisor Drake had received a proposed Franchise Agreement from Time Warner Cable Northeast LLC locally known as Charter Communications. Copies of the Agreement had been provided to the Board members and Town Attorney Attea. Supervisor Drake advised that before the Town can sign this Franchise Agreement, a Public Hearing is required. Motion by Councilman Snyder, seconded by Councilman Krezmien, to set a Public Hearing for Thursday, July 12, 2018 at 6:45 p.m. Councilmen Krezmien, Zittel & Snyder; Supervisor Drake, voting aye; Councilman Drozd, excused. Carried. Town Clerk Schweikert will publish the Notice of Public-Hearing-in-the-Springville-Times.

e) **Craneridge Sewer Agreement** – Supervisor Drake had received the Management Services Agreement with MDA Consulting Engineers for the Craneridge Sewer District Contract for Operations Personnel for Employees James Thoman and Donald Wittmeyer for the term January 1, 2018 to December 31, 2018; the compensation for providing this service will be \$39,000. This is a \$1,200 increase from last year's contract. Copies of this Agreement had been provided to the Board members and Town Attorney Attea. Motion by Councilman Krezmien, seconded by Councilman Zittel, to authorize Supervisor Drake to sign the Management Services Agreement with MDA Consulting Engineers for the Craneridge Sewer District. Councilmen Krezmien, Zittel & Snyder; Supervisor Drake, voting aye; Councilman Drozd, excused. Carried.

George Donhauser questioned why this is just being done now if the contract term is January 1, 2018 to December 31, 2018 and was it in the original agreement that the cost would increase? Mr. Donhauser feels that should be done prior to January 2018. Who negotiated the increase since he had never heard this discussed by the Town Board? Supervisor Drake noted that the prior Agreement was for a one-year term and MDA Engineers' Agreement for 2018 the cost was increased \$1,200. Councilman Snyder advised that MDA Engineers provides the service to the Town and this Agreement is in the best interest of the Town.

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 Snyder advised that the Public Informational Meeting on the Craneridge lights was held on May 30th. About 36 residents were in attendance; a lot of input was received. There are a number of mixed views from the residents. He will continue to work with National Fuel and the Craneridge Committee and see where it goes.

b) Councilman Snyder advised that there is an SYI meeting this Saturday morning; he will be attending.

c) Councilman Zittel reminded those in attendance that it is June-graduation month-be safe and have a good time.

d) Councilman Zittel will be announcing The Band of Brothers at the Concert in the Park next Thursday night. He encouraged everyone to attend.

e) Supervisor Drake informed the Board that on June 25th he has been invited to attend a meeting with NYSEG on disaster preparedness. Disaster Coordinator Willibey will be attending with him. The goal is to make some improvements in communication.

ITEM #9. MOTION TO ADJOURN

Motion by Councilman Krezmien, seconded by Councilman Zittel, and passed unanimously, to adjourn the meeting at 8:00 p.m. in memory of:

Loyd E. Rumfola
Martin H. Kroll
Kenneth L. Ploetz
Thomas G. Weber
Lyvester R. Booth
Frances W. Potter



Darlene G. Schweikert
Town Clerk