

TOWN OF CONCORD TOWN BOARD MEETING January 11, 2024
7:00 p.m.

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

ROLL CALL: PHILIP DROZD, SUPERVISOR
 CLYDE M. DRAKE, COUNCIL MEMBER
 KENNETH D. ZITTEL, COUNCIL MEMBER
 KIMBERLY S. KRZEMIEN, COUNCIL MEMBER
 KENNETH KASSEL COUNCIL MEMBER

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

GEORGE DONHAUSER SETH WOCHENSKY, Springville Center for the Arts
 MAX COLLINS, Springville Center for the Arts

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DROZD

ITEM #1 CONSENT AGENDA

- a) Approval of Minutes:
 - (1) Work Session – 12/14/2023
 - (2) Town Board Mtg – 12/14/2023
 - (3) Special Town Board Mtg-Ross Road Bridge – 12/27/2023
 - (4) Special Town Board Mtg-Award Ross Rd, Laborer, Year End – 12/28/2023

Motion by Council Member Drake, seconded by Council Member Zittel, to approve Consent Agenda, Items 1-4. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

- b) Month Reports:
 - (1) Code Enforcement Report – December 2023
 - (2) Code Enforcement Annual Year 2023 Report
 - (3) Dog Control Officer Report – December 2023
 - (4) Dog Control Officer Annual Year 2023 Report
 - (5) Town Clerk Report – December 2023
 - (6) Town Clerk Annual Year 2023 Report
 - (7) Judge Frank – December 2023
 - (8) Judge Gibbin – December 2023

- (9) Supervisor's Report – October 2023
- (10) Senior Transportation Van Report – October 2023
(Not Available)
- (11) Senior Director Report – December 2023
- (12) Assessor's Report – December 2023

Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve Consent Agenda, Items 1-9 & 11-12. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #2 RESIDENT CONCERNS

Supervisor Drozd opened the floor for Public Comment. No one wished to address the Board.

ITEM #3 HIGHWAY DEPARTMENT

- a) Hwy Supt Edwards read his Highway Report.

Motion by Council Member Zittel, seconded by Council Member Kassel, to receive and file the Highway Department Report. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #4 OLD BUSINESS

- a) KBWWTP

1. Approve KB Pump Station & Forcemain Payment Application #2 as recommend by MDA Consulting Engineers. Motion by Council Member Zittel, seconded by Council Member Drake, to approve Payment Application #2 – Meyer Septic in the amount of \$103,500. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #5 NEW BUSINESS

- a) Audit of the Bills – Abstract 16 are from 2023 and Abstract 1 are January 2024.

Year 2023 Abstract 16:
General Fund A, Abstract 16, \$4,149.18
General Fund B, Abstract 16, \$702.38
Library Fund, Abstract 16, NONE
Fire Protection, Abstract 16, NONE
Joint Van, Abstract 16, \$98.30
Joint Youth, Abstract 16, NONE
Craneridge Lighting, Abstract 16, NONE

Craneridge Sewer, Abstract 16, \$600.00
Highway DA, Abstract 16, NONE
Highway DB, Abstract 16, \$3,634.16
Kissing Bridge Water, Abstract 16, NONE
Kissing Bridge Sewer, Abstract 16, NONE
Trevett Rd. Water, Abstract 16, NONE
Cattaraugus St. Water, Abstract 16, NONE
Trust & Agency, Abstract 16, NONE
Capital (HA) C. Sewer, Abstract 16, NONE
Capital (HB) Land, Abstract 16, NONE
Capital (HD) Catt St, Abstract 16, NONE
Capital (HE) Sr. Ctr, Abstract 16, NONE
Capital (HF) Hwy Equip, Abstract 16, NONE
Capital (HG) Waste Study, Abstract 16, NONE

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

Year 2024 Abstract 1:
General Fund A, abstract 1, \$7,605.13
General Fund B, abstract 1, \$71,554.11
Library Fund, abstract 1, NONE
Fire Protection, abstract 1, \$17,479.54
Joint Van, abstract 1, NONE
Joint Youth, abstract 1, NONE
Craneridge Lighting, abstract 1, NONE
Craneridge Sewer, abstract 1, NONE
Highway DA, abstract 1, NONE
Highway DB, abstract 1, NONE
Kissing Bridge Water, abstract 1, \$135.00
Kissing Bridge Sewer, abstract 1, \$600.00
Trevett Rd. Water, abstract 1, NONE
Cattaraugus St. Water, abstract 1, \$1,695.90
Trust & Agency, abstract 1, NONE
Capital (HA) C. Sewer, abstract 1, NONE
Capital (HB) Land, abstract 1, NONE
Capital (HD) Catt St, abstract 1, NONE
Capital (HE) Sr. Ctr, abstract 1, NONE
Capital (HF) Hwy Equip, abstract 1, NONE
Capital (HG) Waste Study, abstract 1, NONE

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

b) MDA Engineers 2024 General Services Proposal – Members were provided with a copy of the MDA Consulting Engineers General Services Proposal for 2024. Town Atty Attea had reviewed the proposal and noted that MDA Consulting Engineers has always been very responsive to the Town’s needs. Supervisor Drozd advised that MDA would not have to prepare an estimate each time as the Schedule of Hourly Rates is part of the proposal. Both parties would know what fees would be charged. Motion by Council Member Kassel, seconded by Council Member Zittel to approve the MDA Engineers 2024 General Services Proposal and authorize Supervisor Drozd to sign said Proposal. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

c) SCA – Approval of proposed mural at Bensley Center – Springville Center for the Arts (SCA) is seeking the Town’s permission to install a mural on the concrete ramp of the Lucy Bensley Center. SCA provided a drawing of the proposed mural showing librarian Lucy Bensley with her iconic glasses. A Letter of Support from the Historical Society was also provided. Seth Wochensky, Executive Director of SCA, noted that the installation will be done by an acid etch process. This stains the concrete and does not have any maintenance requirements. The image will be a halftone. Staff Artist Max Collins showed an example of what this process looks like; will have texture but not color. There is no cost to the Town for this project. Mr. Wochensky will have all safety measures in place for the project; the project will take approximately one week to complete. SCA anticipates a launch of the project in Spring and it will be completed by Staff Artists and members of the Public Art Corps. Motion by Council Member Drake, seconded by Council Member Krzemien, to approve the Springville Center for the Arts’ proposed mural at the Bensley Center. Mr. Wochensky and Mr. Collins thanked the Board and left the meeting at 7:20 p.m. SCA will be in contact with the Town as this project moves forward. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

d) Authorize Town Clerk to advertise for Trash Pickup - Motion by Council Member Drake, seconded by Council Member Zittel, to authorize Town Clerk Schweikert to advertise for the Spring Trash Pick Up. The bid opening will be Monday, February 5, 2024 at 10 a.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Spring Trash Pick Up will take place beginning Monday, May 13, 2024.

e) Reappoint Lauri Skelton, Board of Assessment Review 10/01/2023 to 09/30/2028 – Motion by Council Member Zittel, seconded by Council Member Drake, to reappoint Lauri Skelton to the Board of Assessment Review for the term 10/01/2023 to 09/30/2028. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

f) Concord Senior Center Membership Dues and Application – Council Member Krzemien has been working on this matter with Senior Director Eschborn. At this time, the Senior Center does not have on file the name, address, phone number and emergency contacts for the people using the Senior Center. Council Member Krzemien

and Senior Director Eschborn researched how surrounding towns handle this matter. The membership fees differ between towns from \$25 to \$60 and some towns do not allow non-residents to be members. Moving forward, the Town will have a Membership Form which will be completed by each person using the facility and an annual membership fee of \$20 for residents and \$30 for non-residents will be charged. Senior Director Eschborn will also try to obtain the contact information for those people who come to the Senior Center for lunches only. A letter will be mailed out to the seniors who are using the Center as well as people who use the Senior Van and also to the different groups (Kiwanis and Jazz Band). Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the Membership Form and annual membership fees of \$20 for residents and \$30 for non-residents. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

g) Employee Manual Modifications – Members were provided with an updated Employee Manual together with a list of the changes made:

- Pages 2 and 5 language changed to reflect elected Assessor was changed to appointed Assessor
- Page 12 Corrected sick days to 9 days per year
- Page 13 Juneteenth added as a holiday
- Page 14 Changed to reflect “full time appointed employees and elected employees elected to receive health insurance benefits shall consist of Town Supervisor, Town Clerk and Highway Superintendent. After the two current Justices leave their elected positions, Town Justices will not receive health insurance.
- Page 17 Amended to include accident/injury reporting as required by OSHA and accidents involving Town-owned pieces of equipment.
- Page 18 Removed longevity. This was stopped years ago.
- Page 19 Removed hiring family members; discrimination.
- Page 19 Changed wording to regard to probationary period and 80% of the salary.
- Page 25 Changed language to include elected employees in health insurance buy out.
- Page 53 Cell phone policy amended to include personal or work cell phones, and use of cell phone while driving or operating town vehicles or heavy/light equipment.
- Page 54 Disciplinary action amended to include personal or work cell phones and that disciplinary action is up to and including termination of employment.

Motion by Council Member Zittel, seconded by Council Member Kassel, to approve the modifications of the Employee Manual as presented. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Supervisor Drozd advised that the Employee Manual should be reviewed annually.

h) Budget Transfer DB231 Special Reserve Hwy Equipment to

DB5310.24 Machinery-Chassis & Dump Body \$260,000 for new truck – This is a budget line transfer for Year 2023. Council Member Drake advised that on December 30th, 2022, the Board made a motion to put the Reserves because the truck was not delivered yet. The auditors were notified of this but the transfer did not take place. This will put the money in the expense line for the truck. Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve the transfer DB5310.24 Machinery-Chassis & Dump Body in the amount of \$260,000. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

Items added to the Agenda:

i) Affirm the Hulbert Library Board of Trustees for Year 2024 as presented by Librarian Jennifer Morris - Motion by Supervisor Drozd, seconded by Council Member Krzemien, to affirm the Hulbert Library Board of Trustees for Year 2024. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

j) SGI Use of Community Park for the upcoming Spring 2024 season – Springville Athletic Director DeMartino submitted his request letter to use Community Park for the upcoming Spring baseball season. Their request is for use from March 13, 2024 to approximately June 7, 2024. March 13th is the first day SGI can do any training for Spring athletics. Park Maintenance Worker Schweikert is scheduled to start on April 1st and he is responsible for the diamonds. It will need to be made clear that someone from the Town will have the discretion, based on the fields, whether they can be used. Game schedules are still being finalized and will be provided by SGI when available. Supervisor Drozd will work on a letter authorizing use of the fields with stipulations to come; possible a meeting can be arranged to finalize. Once the SGI schedule has been received, Supervisor Drozd will meet with SYI to go over their use of Community Park and rules. Motion by Council Member Drake, seconded by Council Member Zittel, to approve SGI to use Community Park for the upcoming Spring 2024 season as detailed above. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

k) Hwy Supt Edwards asked the Board if the pay for new employee Drew Taylor was going to be discussed. Hwy Supt Edwards was not able to attend the December 28th, 2023 meeting confirming the appointment. Salary was set at \$23/hour for the first six months. Hwy Supt Edwards noted that the 2024 Budget has this salary listed as \$25/hour and would like the amount increased. Supervisor Drozd advised that the budgeted salary of \$25 is a placeholder for the position and the amount in the budget has to be for the maximum amount. Discussion regarding the salary, CDL license. No action was taken.

l) Council Member Drake had another concern regarding the Employee Manual to discuss with Town Atty Attea. Should something be added to the Driver's License & Driving Record section to limit the Town's liability when employees use their own personal cars in the scope of their Town employment. Should the Town have copies

of driver's licenses on file? Town Atty Attea noted that if an employee is driving a town vehicle or a personal vehicle and the employee doesn't have a valid license, the employee is violating New York State law. Supervisor Drozd noted that the Town could request copies of driver's licenses for those employees who collect mileage and the Town can obtain driver's abstracts on these employees. Town Atty Attea advised that the Board might want to make this change to the Employee Manual; Supervisor Drozd will follow up.

ITEM #6 COUNCIL MEMBER NOTES

a) Council Member Zittel advised the Board the next Southtowns Planning Meeting is scheduled for January 22nd at Holland Willows.

ITEM #7 EXECUTIVE SESSION

There was nothing for Executive Session.

ITEM #8 MOTION TO ADJOURN

Motion by Supervisor Drozd, seconded by Council Member Drake, and passed unanimously, to adjourn the meeting at 8:04 p.m. in memory of:

Danielle M. Marshall
Norma J. DeFoe
Kenneth M. Biringer
Keith L. Richards
Harold K. Blesy
Judy A. Bless
Robert E. Vandervort
Phyllis A. Howard



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

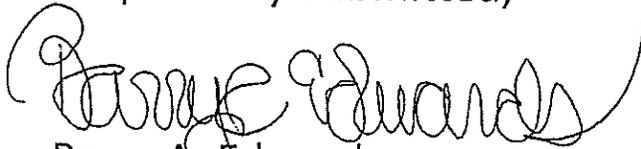
Highway Superintendents Report for the period of
December 13, 2023 to January 9, 2024.

With twenty-seven days in this period the Highway
Department

- Plowed and sanded 7 times this month
- Replaced side dumb cylinder on Tk#14.
- Sandblasted and painted plow on Tk#15.
- Cleaned and painted body on Tk#15.
- Repaired plow on Tk#11.
- Picked up bags of salt for Senior Center and Town Hall.
- Cleaned, repaired and painted body on Tk#14.
- Installed lights and fuel tank on Tk#10.
- Picked up multiple dead deer.
- Cut down tree on Morton Road.
- Fixed plow shoes on Tk#16.
- Picked up new freezer for the Dog Control Officer.
- Moved shoes on the push box and adjusted cutting edge.

- Washed and waxed Tk#'s 10,11,13,14,16,18, & 19.
- Cleaned interior of all trucks.
- Cleaned all shop floors and drains.
- Replaced fascia on exterior of shop building.
- Made mailbox posts.
- Replaced lights on Tk#11.
- Repairing damaged areas on V plow.
- Continue to clean the office, shop, lunchroom and restroom.

Respectfully Submitted,

A handwritten signature in black ink that reads "Barry A. Edwards". The signature is written in a cursive style with a large initial "B" and a long, sweeping underline.

Barry A. Edwards,
Highway Superintendent



Hulbert Library of the Town of Concord

Library Board of Trustees 2024

Susan Fischbeck - President

Term: 2021-2025

Stephanie Bacon – Vice President

Term: 2020-2024

Susan Putney – Treasurer

Term: 2022-2026

Robert Adler – Secretary

Term: 2024-2028

Mary Carol Dearing

Term: 2020-2024

Susan Kellner

Term: 2022-2026

Kelly Campbell

Term: 2023-2027

