

TOWN OF CONCORD TOWN BOARD MEETING June 27, 2024
10:00 a.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,
at 10:00 a.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.

ITEM #1 MUNICIPAL SOLUTIONS CONTRACT AMENDMENT
 re: CR & BK WWTP PROJECT GRANT FUNDING

Supervisor Drozd received an email from Jeffrey Smith, Municipal Solutions, noting that it would be worthwhile for the Town to apply for a NYS DEC Water Quality Improvement Project Grant (WQIP). The WQIP grant program can extend grants up to 75% of the local cost of a project (minus other grant funding) so a successful grant could be very helpful in making this project affordable for the District users. The deadline date for submissions is July 31st. The current Contract the Town has with Municipal Solutions does not include this application. The billing for this would be an hourly rate of \$165 with a minimum fee of \$4,900. Motion by Council Member Krzemien, seconded by Council Member Zittel, to authorize Supervisor Drozd to sign the amendment to the June 13, 2022 Municipal Solutions Contract to add the preparation and submission of a Water Quality Improvement Grant application. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #2 COMMUNITY PAK RENTAL/WOZNIAK
 Bounce House Approval

Supervisor Drozd noted that under the new rental policy the Town Board has to approve the use of a bounce house at Community Park. This would be for the rental on July 27th of Shelter #1 only. Council Member Zittel asked if the Town is covered if there is an accident/injury. Insurance will be provided naming the Town as an additional insured. Motion by Council Member Krzemien, seconded by Council Member Drake, to approve the bounce house on the lawn for the graduation party on July 27th. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #3 COURT CLERK KWASNIK-NIAGARA FALLS CONFERENCE
 Split Costs with Town of Ashford

Supervisor Drozd advised that Court Clerk Kwasnik is requesting approval to attend the NYSAMCC Annual Conference in Niagara Falls, September 29th to October 2nd. Costs of this training will be split with the Town of Ashford 50/50. This cost would be charged to the Justice Department budget line for training. Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the request of Court Clerk Kwasnik to attend the NYSAMCC Annual Conference; splitting the cost 50/50 with the Town of Ashford. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #4 BOARD OF ASSESSMENT REVIEW APPOINTMENT
Anthony Lanza

Supervisor Drozd advised that this appointment would be to fill the vacancy created by the resignation of Jenna Muise; term ends September 2026. Supervisor Drozd spoke with Anthony Lanza and he would like to become a member on the Board of Assessment Review. Since the Assessor position was changed to an appointed position, no longer elected, the Town Board appoints BAR members and any employee in the Assessor Office. Motion by Supervisor Drozd, seconded by Council Member Drake, to appoint Anthony Lanza to the Board of Assessment Review for the term ending September 2026. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #5 DRYM MANAGEMENT LLC – SEQR

Supervisor Drozd noted that the Town Board acknowledged receipt of DRYM Management LLC SEQR at their June 13th Board Meeting. Since that meeting, the members have had time to review the SEQR. A SEQR Resolution is now required.

a) Council Member Zittel moved the adoption of Resolution 12, seconded by Council Member Kassel:

RESOLVED, that the Town Board has received the Subdivision Permit Application of DRYM Management to allow for development of Abbott Hill Lofts, SBL#275.20-1-16.2, Lot 47 and 48, Abbott Hill, Town of Concord. In accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Concord hereby announces its intent to serve as lead agency to conduct an environmental review of the project.

FURTHER RESOLVED, the Town Board has determined that the proposed action is a Type I action as defined under SEQR; and, be it

FURTHER RESOLVED, the Town Board authorizes MDA Consulting Engineers to notify the Involved Agencies of the Town's intention to act as Lead Agency for this project and will provide them with a copy of the full Environmental Assessment Form.

Voting as follows:

Council Member Drake	Aye
Council Member Kassel	Aye
Council Member Krzemien	Aye
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

b) Supervisor Drozd noted that the second part of this is to have MDA Consulting Engineers start the water survey. Council Member Drake noted that MDA Consulting Engineers won't start this water survey until the actual development plan is submitted by DRYM Management. Motion by Council Member Drake, seconded by Council Member Zittel, to authorize MDA Consulting Engineers to conduct a water survey to look into the capacity of the Kissing Bridge Water District and the proposed demand to determine what, if any, upgrades would be necessary to serve this new development. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #6 NIAGARA REGION DISC GOLF
Use of Community Park on 8/14/2024 & 9/3/2024

Supervisor Drozd received a request from the Niagara Region Disc Golf Association to use Community Park on August 14th and September 9th for disc golf tournaments. Proof of insurance naming the Town of Concord as an additional insured has been received. This is after baseball season is over. The tournament will be renting the Park. Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the request of the Niagara Region Disc Golf Association's use of Community Park on August 14th and September 9th. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried. Council Member Krzemien wondered if anyone would be interested in selling food at the Pavilion for the tournaments. Supervisor Drozd will check into this.

Supervisor Drozd asked for a motion to add (7) Highway Department – CDL License and (8) Other Miscellaneous Items to the Agenda. Motion by Council Member Drake, seconded by Council Member Zittel, to add Item 7 and Item 8 to the Agenda. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #7 HIGHWAY DEPT-CDL LICENSE

Hwy Supt Edwards advised that when he got his CDL license, there was no fee. The cost to obtain a CDL license is now \$4,700. He is requesting that the Town pay for the CDL fee for new employees; having the cost come out of the highway budget. The members discussed having an employee sign a statement that the employee will remain employed by the Town for a period of three to five years if the Town pays this cost. If a person leaves employment prior to five years, the employee would reimburse the Town the cost of training on a sliding scale. Council Member Drake questioned what would happen if a person failed their CDL test; Hwy Supt Edwards and other members felt that taking the CDL course would guarantee the person would pass. Hwy Supt Edwards advised that there is a training class starting next week and he would like to have new employee Drew Taylor take the course; Drew Taylor has advised that he will sign a statement to remain a Town employee. Council Member Zittel also noted that someone from the Town could get certified to teach the class to new employees. Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the Town payment for CDL license fee for employees with a statement signed by the employee stating that they will remain a Town employee for a period of five years after such training. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #8 OTHER MISCELLANEOUS ITEMS

Supervisor Drozd briefly discussed the following with the Board:

a) Erie-Cattaraugus Rail Trail – Supervisor Drozd received an email from President Mary Brummer who has asked to be on the July 11th Town Board Agenda. This email was forwarded to the other Board Members for their review. Council Member Krzemien advised that the email packet did not include the approval from the Country Club; just a letter that Ms. Brummer sent the Country Club and then the Country Club modified the letter. It was not an approval. Council Member Krzemien reminded the Board that she will not be at the July meeting and would like to make sure that this is addressed in her absence that the packet was not complete.

b) No date has yet been set for another Public Hearing on the RIC Energy Solar Project. The Town is awaiting the complete SEQR and Engineer's Report from MDA Consulting Engineers before another meeting is scheduled.

c) Townsend Road Weight Limit – Supervisor Drozd provided the members with a copy of the May 1st email he received from Gina Wilkolaski, Erie County Traffic Safety Engineer, which stated that if the Town Board passed the Local

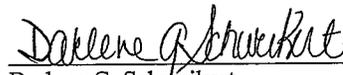
Law, Townsend Road would be the only road permitted to have a weight restriction. Adding even a single additional road would require a townwide truck route to be established. Residents of Townsend Road have been in contact with Supervisor Drozd. Supervisor Drozd noted that this whole matter started with an email from Ms. Wilkolaski and Supervisor Drozd asked for the Board's consideration of going through him, instead of going in their own direction, to keep matters in check instead of everyone calling and getting different versions of discussion. He noted that all projects end up on his desk eventually.

d) Available Grants – Supervisor Drozd believes that there are grants available for historical buildings and the Bensley Center needs a roof and flooring; also grant money for updated playground equipment at Community Park. If any member would like to look into these grants, Supervisor Drozd can provide the information.

e) Hulbert Library – Supervisor Drozd received contact from Librarian Jennifer Morris who wants the project specifications redone for the library grant for the front entrance; she does not want herbicides to be used. Supervisor Drozd advised that the specifications are not going to be revised at this time; there were several meetings where this could have been discussed. Since the Town owns the building, the Town is glad that the Library Board received grant money to get the entrance updated but this is a Town decision.

ITEM #9 MOTION TO ADJOURN

Motion by Council Member Zittel, seconded by Council Member Krzemien, and passed unanimously, to adjourn the meeting at 10:27 a.m.



Darlene G. Schweikert
Town Clerk