

TOWN OF CONCORD TOWN BOARD MEETING October 21, 2024
9:30 a.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,
at 9:30 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

Supervisor Drozd opened the Special Town Board meeting at 9:30 a.m.

ITEM #1 ROSS ROAD BRIDGE PROJECT

Supervisor Drozd reviewed this Resolution with Jerry Sentz, Azar Design Co.; Christopher Church, NYS DOT, and Town Attorney Attea. Mr. Sentz advised that the Town should submit this as soon as possible. This is the first phase of the \$215,792 grant for the engineering and right-of-way incidentals.

Council Member Zittel moved the adoption of Resolution 28, seconded by Council Member Krzemien:

BRIDGE NY RESOLUTION BY MUNICIPALITY
(2023 NY Bridge Project funded with BFP Off-System)
Locally Administered
RESOLUTION NUMBER: 28

Authorizing the implementation and funding of the costs of a transportation project, which may be eligible for federal-aid and/or state-aid, or reimbursement from Bridge NY funds.

WHEREAS, a project for the Bridge Replacement, Ross Road over Graff Brook (BIN 2260820) Town of Concord, Erie County, P.I.N. 5765.44 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the Town of Concord will design, let, and construct the Project: and

WHEREAS, the Town of Concord desires to advance the Project by making a commitment of 100% of the costs for the project's Engineering (Design 1-VI) and Right-of-Way Incidental phases.

NOW, THEREFORE, the Town of Concord Town Board, duly convened does hereby

RESOLVE, that the Town of Concord Town Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Town of Concord Town Board hereby authorizes the Town of Concord to pay 100% of the cost of \$215,792.00 work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of \$215,792.00 is hereby appropriated from Highway Fund DA Townwide – Bridges and Culverts, Budget Line DA5120.41 and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that the Town of Concord Town Board hereby agrees that the Town of Concord shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the Town of Concord; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town of Concord Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof; and it is further

RESOLVED, that Town of Concord Town Board hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Supervisor of the Municipality of the Town of Concord, be and is hereby authorized to execute on behalf of the Town of Concord all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of Concord's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

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.

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

I, Darlene G. Schweikert, Clerk of the Town of Concord, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said Town of Concord Town Board at a meeting duly called and held at the Town of Concord Town Hall, 86 Franklin Street, Springville, New York 14141, on October 21, 2024, by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Town of Concord, New York, this 21st, day of October, 2024.

ITEM #2 CODE ENFORCEMENT TRAINING

Supervisor Drozd advised that Kevin Manchester came in the end of last week. He reviewed the courses that are required to be taken and passed to get their certification. In September 2024, Mr. Manchester has passed 9A Introduction to Code Enforcement Practices, Part 1: Regulations, Administration and Enforcement. Mr. Manchester was just notified that he passed 9B Introduction to Code Enforcement Practices, Part 2: Fire Safety Design; this was October. His next segment is 9C

Inspection Procedures for Existing Structures with course dates in November. There are three more after that, one in December which would leave two: one in January, one in February. The certification program ends in February 2025. Council Member Zittel asked if the project goes through that CEO Roberts is involved with, can CEO Roberts inspect it himself? Supervisor Drozd noted that CEO Roberts will not be able to do his own inspections; Mr. Manchester can do the inspections; he should be completed certified by that time.

ITEM #3 COMMUNITY PARK – BASEBALL BASES

SYI Executive Director, Stephanie Bacon, notified the Town that the motion made at the October 10, 2024, Town Board meeting needs to be rescinded because the baseball bases at Community Park were purchased through a grant SYI received from The Greater Buffalo Sports Hall of Fame and, as such, the baseball bases must remain the property of SYI. The Town Board can then make a motion to acknowledge receipt of the bases and approve installation of the bases at Community Park.

Motion by Council Member Drake, seconded by Council Member Zittel, to rescind the motion approved at the October 10th, 2024, under Item 2: Resident Concerns (b) where Vincent Roberts addressed the Board as follows: "Motion by Council Member Zittel, seconded by Council Member Krzemien, to accept The Greater Buffalo Sports Hall of Fame grant donation of new bases for Community Park." Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

Motion by Council Member Drake, seconded by Council Member Zittel, to acknowledge receipt of the bases purchased through a grant received Springville Youth, Inc., and approves installation of the bases at Community Park. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #4 CRANERIDGE LIGHTING DISTRICT

Supervisor Drozd provided the Members with copies of proposed Craneridge Lighting maps: One prepared by Craneridge Association's Lighting Committee and one prepared by MDA Engineering in 2016 and updated in 2023 and one prepared by NYSEG using the MDA Engineering map. The Craneridge Lighting Committee proposal would have all of the work off the right-of-way; four meters would be installed and the Association would be responsible for the bills and repairs. The Lighting Committee is proposing to put in the 16 feet tall bases and standards. This would be 2 feet taller than the two that were installed previously. The Association has a meter on those two and have been paying the bills for about three or four years. The proposed lights would have higher lumens, kelvins. The Craneridge Association is taking this lighting proposal to their HOA membership for a vote. The Craneridge Association needs a motion from the Town acknowledging the Craneridge Lighting Committee's work and the map that will be presented to the Craneridge Association membership for a vote. Council Member Zittel asked if Town Attorney Attea was still researching the Town's liability if something were to happen; Supervisor Drozd noted that everything would be off the Town's right-of-way. The Craneridge Association wanted the Town to sign a statement that the Town would not be any street lights up there; the Town will not sign this statement. The Town reserves the right to put up any lights the Town determines should be installed. Supervisor Drozd had just received the final amount from Chris Knospe at NYSEG for the lights and it was \$1,300 to run the extra wire to the same eight locations. The map prepared by NYSEG has lights positioned at intersections right near where transformers are; very little wire is needed. Supervisor Drozd advised the Craneridge Lighting Committee of this update from NYSEG. Supervisor Drozd advised that at this time, the Town will wait to see the results of the Craneridge HOA vote; if the membership decides to proceed. Hwy Supt Edwards noted that all the old lighting fixtures have been removed. Hwy Supt Edwards commented on the Lighting Committee's proposed map; he noted that the end of Tarn Trail is dark and Ridge Trail. Council Member Krzemien noted that some of the intersections do not have a light at them; she does not think there are enough lights; it's dark up there. Reviewing the MDA map there were 14 lights; two are up already. NYSEG went down to eight. Supervisor

Drozd noted that some were not located near transformers and would push the cost up. The Lighting Committee cost estimate for their project is \$78,000. Council Member Drake noted that price is a lot lower than what the Town had received as an estimate in previous years. Motion by Supervisor Drozd, seconded by Council Member Krzemien, to acknowledge the Craneridge Lighting Committee's work and the map that will be presented to the Craneridge Association membership for a vote. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #5 CDBG – SENIOR CENTER IMPROVEMENTS

At the October 10th Town Board Meeting, the Board tabled the matter of awarding the bid for the Senior Center Improvements. Caleb Henning, MDA Engineers, had provided the Board with three options: (1) Award the low bid as-is for \$191,005 and come up with the necessary funds; (2) Reduce the scope of the project to make it more affordable; or (3) Re-bid the project with a longer timeline that extends into the Spring 2025 Construction season. Motion by Council Member Drake, seconded by Council Member Zittel, to reject all bids received at the October 7th, 2024 bid opening. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.

ITEM #6 BUDGET WORK SESSION

The Board set another Budget Work Session for Wednesday, October 30th at 8 a.m. Hwy Supt Edwards wanted the Board to increase the Road Repair line by \$100,000. Hwy Supt Edwards also informed the Board that in his 2024 Budget his Equipment Repair is already over the budget amount; the Board will need to do a budget transfer from Equipment Reserve at the November meeting. Council Member Zittel asked how the proposed rate compares to last year. Supervisor Drozd used his Village property as an example. His house would be \$20.16. His home is assessed \$1,000 away from the average. A Town parcel would be about \$22. Council Member Drake reminded Supervisor Drozd to go online to check the tax cap information.

ITEM #7 NOTES

(1) Hwy Supt Edwards informed the Board that there is a leak on the one pipe at the pump house at Community Park where Bob Holland put the fan in. Supervisor Drozd will meet with Hwy Supt Edwards and employee Drew Taylor to look into this. Bob Holland was up there Saturday and Sunday replacing the fan that had not been working. It is set at 72 degrees. Bob Holland also changed the electric to the fans in both of the restrooms in the new Community Park Pavilion to be switches and not action activated. Ehmke Well Drillers will be turning off the water at Community Park by the end of the month. It needs to be done by November 1st or the Town will have to do another water test.

(2) The Craneridge Lighting Special District budget line will be eliminated from Town's budget once this lighting project moves forward. The old fixtures are all out and were scrapped. Hwy Supt Edwards will need to provide a statement to the Board showing the costs for the Hwy Department's labor in this matter. These costs get charged to the Lighting District budget line and then goes back into the highway account. Once this lighting project is complete, the Town can dissolve the Craneridge Lighting District.

(3) Town Clerk Schweikert advised the Board that she will need the salary amounts of the elected officials by November 3rd, 2024 so that the Public Hearing Notice can be published timely.

(4) Supervisor Drozd advised that he did get the \$118,079.05 check from the Hulbert Library and the funds were deposited in the bank on Friday. There is a small punch list to be finished. Supervisor Drozd told the Hulbert Library Board that he wants to present at the time of the final walk-through with the contractor.

(5) Council Member Kassel reminded the Board that he will be out of town November 10th to November 20th.

Motion by Council Member Zittel, seconded by Council Member Krzemien, to adjourn the meeting at 10:08 a.m. Council Members Drake, Zittel, Krzemien & Kassel; Supervisor Drozd, voting aye. Carried.



Darlene G. Schweikert
Town Clerk

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