

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

June 10, 2010

MEETING CALLED TO ORDER BY GARY A. EPPOLITO, SUPERVISOR.

PRESENT: GARY A. EPPOLITO, SUPERVISOR  
JAMES M. KREZMIEN, COUNCILMAN  
WILLIAM F. SNYDER, III, COUNCILMAN  
PAUL F. SALZLER, COUNCILMAN  
DEBORAH A. KING, COUNCILWOMAN

EXCUSED: DENNIS DAINS, HWY. SUPT.

ALSO PRESENT: M. BETH BOLT, TOWN CLERK  
MICHAEL BARONE, TOWN ATTY

GEORGE DONHAUSER

INVOCATION DELIVERED BY TOWN CLERK BOLT.

PLEDGE TO THE FLAG LED BY SUPERVISOR EPPOLITO.

ITEM #1. APPROVAL OF MINUTES

a) T/Bd Meeting – 5/13/2010 – Town Clerk Bolt noted that Item 4e should be amended to read “Judge Frank – April 2010”. Motion by Councilman Krezmien, seconded by Councilman Salzler, to approve the minutes as amended. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

ITEM #2. PUBLIC COMMENT

a) Mr. George Donhauser addressed the Board. He noted that the town adopted the right-to-farm law. A panel was to have been appointed, if there was a complaint. He asked who was on it. Supervisor Eppolito noted that a panel still needs to be appointed. Mr. Donhauser stated that, over the Memorial Day holiday, a neighboring farmer spread manure and there were outdoor parties being held. Supervisor Eppolito asked the Board if they had any nominations for this panel. He will work on this.

Motion by Councilman Krezmien, seconded by Councilman Snyder, to close Public Comment. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

ITEM #3. MONTHLY REPORTS

Motion by Councilman Snyder, seconded by Councilman Salzler, to approve the Monthly Reports, Items a-g. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito voting aye. Carried.

- a) Code Enforcement Officer/Building Inspector Report
- b) Dog Control Officer
- c) Nutrition Site Coordinator-April 2010
- d) Nutrition Site Coordinator-May 2010
- e) Judge Gibbin – April 2010
- f) Supervisor Report – March 2010
- g) Fire Department – Chief Dains was not in attendance
- h) Highway Superintendent Report - Hwy Supt Dains was not in attendance.

June 10, 2010

ITEM #4.      NEW BUSINESS

**a) Audit of the Bills.** Supervisor Eppolito stated that these bills were audited by Councilman Snyder, and reviewed by the Board.

General Fund A, abstract 6, bills 548-621  
Councilman Snyder questioned bill #557-Concord Historical Society-\$3,903.51. Purchasing procedures were not being followed. This has been discussed and they will be followed. Bill #561-DFT Security -\$7,786.65 was questioned. This was the monies from the grant for a security system for the courts. No monies would be spent until the work is completed.

General Fund B, abstract 6, bills 622-629  
Library Fund, abstract 6, bills 630-634  
Fire Protection, abstract 6, bill 635  
Joint Van, abstract 6, bills 636-637  
Joint Youth, abstract 6, bill 638  
Craneridge Lighting, abstract 6, bill 639  
Craneridge Sewer, abstract 6, bills 640-647  
Highway DA, abstract 6, NONE  
Highway DB, abstract 6, bills 648-661  
Kissing Bridge Water, abstract 6, bill 662-663  
Kissing Bridge Sewer, abstract 6, bill 664-665  
Trevett Rd. Water, abstract 6, bill 666  
Trust & Agency, abstract 6, bills 667  
Capital, abstract 6, NONE

Motion by Councilman Snyder, seconded by Councilwoman King, to approve the bills as presented. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

**b) Dream Katchers – Use of Town Hall** – Town Clerk Bolt had received another request from this group to use the town hall for a carnival in November and a dance in December. They also would like to hold a Halloween party in October. The hall is available on the dates requested. Discussion. Motion by Councilman Salzler, seconded by Councilwoman King, to allow the Dream Katchers to use the town hall until the end of the year and waive the fees. Councilwoman King, Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

**c) Resolution re: Licensing of Dogs** – Supervisor Eppolito had attended an Association of Erie County Government meeting and a resolution had been presented. They were going to adopt this and were asking the towns to adopt this, too. A new law will have to be adopted by the towns. The clerk state association will be drafting a law. Supervisor Eppolito asked clerk Bolt to stay on top of this for the Board. Councilman Krezmien moved the adoption of Resolution 17, seconded by Councilman Salzler:

WHEREAS, the New York State Department of Agriculture & Markets has proposed in the Governor's Budget to remove the licensing of dogs from the State control and turning it over to all local municipalities in New York State, and

WHEREAS, Under Senate Bill S.2211 and Assembly Bill A.10330, the legislatures have proposed a requirement that all dogs must be micro-chipped and a registry of dogs be created, which the Town of Concord believes creates an undue burden on dog owners which may result in fewer licensed dogs and creates an undue burden on local municipalities to regulate and enforce compliance of these provisions:

NOW, THEREFORE BE IT RESOLVED:

1) The Town of Concord opposes Senate Bill S.2211 requiring all dogs in NYS to be micro-chipped and a registry of dogs to be created and requiring all dogs and their owners to successfully complete basic obedience training prior to being granted a

June 10, 2010

dog license, which will create an undue burden on dog owners, which may result in fewer licensed dogs and creates an undue burden on local municipalities to regulate and enforce compliance of these provisions.

2) The Town of Concord opposes Assembly Bill A.10330 requiring all dogs in NYS to be micro-chipped and a registry of dogs to be created, which will create an undue burden on dog owners, which may result in fewer licensed dogs and creates an undue burden on local municipalities to regulate and enforce compliance of these provisions.

3) The Town of Concord opposes in general the proposal to shift the cost burden of licensing dogs to local municipalities.

4) The Town Clerk is hereby ordered to send a certified copy of this resolution to the town's local Senate and Assembly representatives and to Governor David Patterson.

5) This Resolution shall take effect immediately.

Voting as follows:

Councilwoman King	Aye
Councilman Krezmien	Aye
Councilman Salzler	Aye
Councilman Snyder	Excused
Supervisor Eppolito	Aye

d) **Concert Announcers** - Supervisor Eppolito asked the Board to choose the concerts that they would like to announce. The Board filled out their choices.

e) **Website Update-Tax Information** – Town Clerk Bolt informed the Board that her Deputy, Darlene, has updated the website. Clerk Bolt has spoken with the tax technician and he is allowing her to make payments to put all the tax information on the website. He has already done this and anyone can go online and find out information (i.e., residents, lawyers, real estate offices) and are also able to print tax bills. Clerk Bolt is very excited about this and finds it will help cut down on phone calls and also help the assessor's office.

f) **Bank Deposits** – Town Clerk Bolt is finding that she is being charged service fees on her clerk deposits. All the monies that come into her office, goes back out the end of the month. Because there is not a minimum balance in her account, she is being charged a service fee. She will be looking at different banks, but it would be too hard for her to change banks each month. Supervisor Eppolito stated that he would be willing to look into this with her. Clerk Bolt thanked him.

g) **Retirement Resolution** – Clerk Bolt asked if the Board wanted to pass a resolution for the new retirement requirement. There are only two officials that needed to meet the new requirements. Supervisor Eppolito stated that he had checked into this and he would be bringing this before the Board next month.

ITEM #5. OLD BUSINESS

There was no Old Business.

ITEM #6. CONSENT AGENDA

Motion by Councilman Krezmien, seconded by Councilman Salzler to receive and file the Consent Agenda, Item a. Councilwoman King; Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

a. Concord Post Home Inc. American Legion – Liquor License.

June 10, 2010

ITEM #7. EXECUTIVE SESSION

Supervisor Eppolito stated that there would be an executive session for discussion on possible litigation. Motion by Councilwoman King, seconded by Councilman Salzler, to go into executive session on possible litigation at 7:24 p.m. Councilwoman King; Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

Motion by Councilman Krezmien, seconded by Councilwoman King, to come out of executive session at 8:00 p.m. Councilwoman King; Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

1) Motion by Councilman Krezmien, to authorize HodgsonRuss to contract with CRA to investigate environmental issues with town drainage issues on town properties, seconded by Councilman Salzler. Councilwoman King; Councilmen Krezmien, Salzler & Snyder; Supervisor Eppolito, voting aye. Carried.

ITEM #8. COUNCILMAN NOTES

a) Councilman Salzler had attended the Highway Superintendent's Conference in Ithaca. He learned that there would be CHIPS monies coming to the town with a small increase.

b) Councilwoman King informed the Board that the Relay for Life would be Saturday, June 19<sup>th</sup>. Anyone wishing to join the town team, let her know. She is having a 50-50 raffle with a basket raffle and received a lighthouse picture as a donation.

c) Clerk Bolt had two residents contact her about dumping tires and mattresses on Middle Road. She had referred them to the Sheriff's Department, although they did not know who was doing this. She also referred them to the County highway department. Supervisor Eppolito had also received some concerns on this. He will be writing a letter to the Sheriff's asking that they patrol the area more frequently.

ITEM #9. MOTION TO ADJOURN

Motion by Councilman Krezmien, seconded by Councilwoman King, passed unanimously, to adjourn the meeting at 7:57 p.m. in memory of:

Charles E. Whitmer  
Marion P. Jax  
Alfred Feuz  
Calvin Pearl

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M. Beth Bolt