

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

July 9, 2020

MEETING CALLED TO ORDER BY CLYDE M. DRAKE, SUPERVISOR

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

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk
BRIAN F. ATTEA, Town Atty
BARRY A. EDWARDS, Hwy Supt
ELEANOR ESCHBORN, Senior Director

NICHOLE M. RUF, CPA
MAX BORSUK, Springville Journal
KELLY CAMPBELL

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DRAKE

ITEM #1 APPROVAL OF MINUTES

a) Town Board Meeting – 6/11/2020 – Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #2 PUBLIC COMMENT

No one wished to address the Board. Motion by Councilman Krezmien, seconded by Councilman Zittel, to close Public Comment. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #3 MONTHLY REPORTS

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

- a) Code Enforcement Officer – June 2020
- b) Dog Control Officer – June 2020
- c) Town Clerk Report – June 2020
- d) Judge Gibbin – March 2020
- e) Judge Gibbin – April 2020
- f) Judge Gibbin – May 2020
- g) Judge Frank – June 2020
- g) Supervisor Report – May 2020
- h) Van Report – June 2020

i) Highway Report - Hwy Supt Edwards read his report. His report is included in the Minute Book. Councilman Drozd noted that the Ladon Paver used by the Town is owned by Erie County; not the Town of Sardinia.

Hwy Supt Edwards discussed the following with the Board:

- 1) When the Highway Department puts signs up, a sticker is placed on every sign. The Town used to use Erie County stickers but Hwy Supt Edwards noted that the Town now has their own sticker.

2) Hwy Supt Edwards had obtained bids for skim coating Cascade Drive. Suit-Kote Corp is about \$68,000 before striping and Midland is about \$90,288.00 before striping but Midland is a better product. Striping would cost about \$13,000-\$14,000. This information is just provided for the Board's review.

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

ITEM #4 OLD BUSINESS

There was nothing for Old Business.

ITEM #5 NEW BUSINESS

a) 2019 Drescher & Malecki Audit Report – CPA Nichole Ruf presented the Town's 2019 Audit. Copies of the Audit documents were provided to the Board and a copy is on file at the Town Clerk's Office. This includes the Basic Financial Statements, Management Letter, Auditor Communications and Report on Departmental Financial Statements. CPA Ruf reviewed the Audit with the Board. One recommendation made to the Town was to adopt a Fund Balance Policy. Supervisor Drake advised that the Board had a Work Session last week and started the discussion for this Policy. Supervisor Drake thanked CPA Ruf and In-Charge Accountant Kelsey Wendel for their work on the Audit and for being available to address questions during this Audit Process.

b) Craneridge Sewer: 21 Ridge Trail Issue – Supervisor Drake, Councilman Drozd and Hwy Supt Edwards went to the premises at 21 Ridge Trail to view the sewer pipe in the middle of the Kelly Campbell property. Ms. Campbell purchased the home recently and contacted the Town regarding this issue. A prior owner drilled a hole in the concrete to alleviate the groundwater backing up which then made the groundwater go into the Craneridge Sewer which is a cost to the sewer district. Both Councilman Drozd and Hwy Supt Edwards feel that fill could be brought in and push the water away and get rid of the unsightly sewer pipe. Because the lots in Craneridge are circular, the property owner does not own all the land to the road and for this reason the Town would need to have Craneridge sign an agreement as well as Ms. Campbell allowing the Highway Department to enter the property to fill, rough grade, and redo the ditch. Ms. Campbell had attended a Craneridge meeting and Supervisor Drake has also spoken with Jeff Randall, Craneridge President, who gave his verbal approval. Town Atty Attea prepared two separate Agreements. The Town needs Ms. Campbell's permission and also Craneridge's permission to go on to the property. Ms. Campbell was given a copy of the Agreement for her review and she had no issues with signing it. Ms. Campbell appreciates the Board's consideration to fix the situation. This summer has been dry so the area has not been at its worst but it is pretty unsightly, unsafe and unhealthy to have the area filled with water. Supervisor Drake noted that this is something that should have been done 30 years ago. Motion by Councilman Snyder, seconded by Councilman Drozd, to allow the Highway Department to make repairs to the Campbell property after the signed Agreements have been received. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried. Town Clerk Schweikert will mail Ms. Campbell a fully executed copy of the Agreement for her records. Ms. Campbell thanked the Board.

c) Senior Center Opening: Eleanor Eschborn – Senior Director Eschborn reviewed the Re-opening Plan for the Senior Center. Copies of the Plan were provided to the Board and a copy is on file at the Town Clerk's Office as well as the Senior Center. The re-opening date is set for Monday, August 10th. Director Eschborn has been attending meetings with Erie County and New York State and other Directors on the re-opening process. The Erie County Lunch program is starting in some locations on August 3rd but Concord will be delaying a week to get any problems worked out before we open. The Concord Senior Center Policy as well as the NYS Safety Plan Template will be posted on site. Each Senior will receive a copy of the Policy and will also need to complete a questionnaire every time they enter the building for contact tracing

purposes. If anyone refuses to obey the Policy, they will be asked to leave. The building will have all the appropriate signage for social distancing purposes, hand sanitizer will be available and there will be a 30-minute break between activities to allow the staff to clean the building and wipe items down. Staff will be in the building at all times when activities are being conducted. There are no trips planned for Seniors and there will be no large gatherings. Temperature checks will not be taken as this is not mandatory in re-opening. Councilman Snyder noted that if someone appears to have symptoms, temperature could be taken. Erie County needs the Town's Plan two weeks prior to opening and Director Eschborn is in the process of getting the information to Erie County. Town Atty Attea advised that it looks like a very thorough plan. Supervisor Drake thanked Director Eschborn for all her efforts in the re-opening process.

d) Concord Constables: Jeff Singleton -- CEO Singleton learned of the formation of a Constables Department in the Town of Wheatfield. The department was started a couple of years ago and is now expanding. Information has been provided to the Board and is attached to the Minutes. CEO Singleton's proposal would be for a Constable Road Patrol to benefit the Town by providing additional patrols. This would provide added community service and safety to the Town. Currently the Town is patrolled by the Erie County Sheriff's Department and some NYS Trooper patrolling. The amount of tickets written in the Town has been down and Supervisor Drake thought this was just our Town but it appears it is not just here. Supervisor Drake noted that with everything going on in the world now, defunding police departments and police being ordered to stand down, it may be better to spend money on something like this. Supervisor Drake would ask the Board to review the information and this can be discussed during the 2021 Budget process.

e) Audit of the Bills -- Supervisor Drake stated that these bills were audited by Councilman Drozd, and reviewed by the Board.

General Fund A, abstract 7, bills 588-625; \$19,379.09
 General Fund B, abstract 7, bills 626-628; \$262.48
 Library Fund, abstract 7, bill 629; \$236.49
 Fire Protection, abstract 7, NONE
 Joint Van, abstract 7, bills 630-631; \$126.61
 Joint Youth, abstract 7, NONE
 Craneridge Lighting, abstract 7, NONE
 Craneridge Sewer, abstract 7, bills 632-638; \$4,842.71
 Highway DA, abstract 7, bill 639; \$419.28
 Highway DB, abstract 7, bills 640-654; \$73,841.80
 Kissing Bridge Water, abstract 7, bills 655-656; \$146.00
 Kissing Bridge Sewer, abstract 7, bills 657-660; \$4,255.60
 Trevett Rd. Water, abstract 7, NONE
 Cattaraugus St. Water, abstract 7, NONE
 Trust & Agency, abstract 7, NONE
 Capital (HA) Craneridge Sewer, abstract 7, NONE
 Capital (HB) Land, abstract 7, NONE
 Capital (HD) Catt St, abstract 7, NONE
 Capital (HE) Sr. Ctr, abstract 7, NONE
 Capital (HF) Hwy Equip, abstract 7, NONE
 Capital (HG) Waste Study, abstract 7, NONE

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

f) Highway Pickup Truck Replacement & Bid Opening -- Hwy Supt Edwards went out to bid for a new pick up truck for the Highway Department. The current truck had to be towed to get service recently. Bids are due by Tuesday, July 21st at 10 a.m. Hwy Supt Edwards noted that the current truck has over 100,000 miles on it and the tires were bald. There were tires in the storage shed that are now on the truck. The last repair was \$1,400. He explained that he did not intend to go out and purchase a \$40,000 truck; that this would be a downsized model which he feels he would get at a good price.

Councilman Snyder stated that he is hesitant. He is not saying that the truck may not be needed but during the budget process the Board agreed not to do a truck this year. His concern is not knowing what the Town is dealing with next year due to the pandemic's effect on sale tax. During the budget process, \$25,000 is allocated to Equipment Reserves. Hwy Supt Edwards advised that for all the vehicles that the Town owns, the budgeted \$25,000 Equipment Reserves is not enough. Councilman Snyder noted that this is a budget discussion that should be held at budget time. Councilman Drozd advised that he brought this up for discussion a couple years ago; the department needs to have the equipment to respond to emergencies. Supervisor Drake advised that the Board could make their determination once the bids are received and reviewed.

g) KB Concert Special Use Permit Town Board Hearing Date – Supervisor Drake informed the Board that Kissing Bridge submitted a Special Use Permit to have a Country Music Festival. It is a two-day event with concerts and camping. Richard Fanelli, President of Kissing Bridge, had been working with Promoter Chris Nelson on this event prior to the COVID pandemic. Mr. Fanelli met with Supervisor Drake and Town Clerk Schweikert and then on July 7th met with the Planning Board. Mr. Fanelli wanted to proceed with the Special Use Permit with the hope that if things opened up, the event could be held following all CDC and Health Department guidelines. At their July 7th meeting, the Planning Board recommended the Special Use Application to the Town Board to proceed with the Public Hearing. Late afternoon today, the Town heard via Kissing Bridge and WYRK's facebook pages that the event had been cancelled and is rescheduled for August 20th and August 21st. Town Clerk Schweikert tried to contact Mr. Fanelli for confirmation of the cancellation but has not yet received confirmation. The Board and Town Atty Attea felt that the Town Board should set the Public Hearing date for the Special Use Permit because there was no confirmation of the cancellation. If the event is cancelled, Town Clerk Schweikert will not proceed with publication and mailing of the Notices. Motion by Councilman Drozd, seconded by Councilman Krezmien, to set the Public Hearing date for the Kissing Bridge Special Use Permit for Thursday, July 23, 2020 at 6:30 p.m. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

h) Set date Special Town Board Meeting – A Special Town Board Meeting is necessary to follow the Kissing Bridge Special Use Permit Public Hearing for the Board to vote on the application. At this Special Town Board Meeting, the truck bids will also be discussed. If the Kissing Bridge event has been cancelled, that item will be removed from the meeting Agenda. Motion by Councilman Zittel, seconded by Councilman Krezmien, to set the Special Town Board Meeting for Thursday, July 23, 2020 at 7 p.m. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

i) LGS-1 Retention Schedule - NYS Archives is revising and consolidating its local government records retention and disposition schedules and issuing a single, comprehensive retention schedule, Retention and Disposition Schedule for New York Local Governments (LGS-1). This LGS-1 will supersede and replace the MU-1 Schedule currently used by the Town. The Town must adopt this new LGS-1 Schedule before the year of 2020. At this time, the new Schedule is not yet available for our review. Supervisor Drake will put this on the August Agenda.

Supervisor Drake asked for a motion to add (j) Electric Rates, (k) Fuel Tanks and (l) ZBA Appointment. Motion by Councilman Krezmien, seconded by Councilman Zittel, to add Agenda Items (j), (k) and (l). Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

(j) Electric Rates – Supervisor Drake had been contacted by Public Power to renew the supplier agreement for the Town's NYSEG Accounts for Craneridge, the Ridgeview Pumping Station, Community Park and the street lights. The renewal agreement would be a four-year fixed rate agreement at \$0.0550/kwh, starting September 2020. The price was \$0.0599/kwh. Councilman Drozd thinks Supervisor Drake should check with NYSEG to have them review what our accounts would have been if he would've stayed with NYSEG to compare the costs. His store actually overpaid when they changed from NYSEG to one of the suppliers. With this four-year contract, at least

the Town would know what we have. Supervisor Drake will check with NYSEG and will be discussed again at the August meeting.

(k) Fuel Tanks – Highway Supt Edwards informed the Board that the fuel tanks at the Highway Department are owned by the Town and now have rust on them. Once tanks have rust on them, painting is necessary. Crabb Oil will install two new double wall skid tanks, one 1,000-gallon diesel and one 500-gallon gas. The current tanks are single wall tanks. The new tanks would be owned by Crabb Oil and Crabb would guarantee that the Town would get NYS bid price for the fuel so the Town would not need to bid out for fuel annually. The gauge and the pump would be the Town's. Hwy Supt Edwards would pour two pads for the tanks to be placed. Councilman Snyder asked how the Town would dispose of the old tanks. Hwy Supt Edwards noted that Crabb Oil has no interest in the tanks. Hwy Supt Edwards could try to sell them but if the Town needs to take them to scrap, there can't be any fuel in the tanks. Councilman Zittel thinks legally the tanks are to be double wall tanks. Motion by Councilman Zittel, seconded by Councilman Drozd, to allow Highway Supt Edwards to go ahead with Crabb Oil to change the fuel tanks at the Highway Department. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

(l) Zoning Board of Appeals Appointment – James F. Miller – Supervisor Drake advised the there is a matter before the ZBA and currently there are only three members on the Board. Supervisor Drake reached out to Mr. Miller who accepted the position to the ZBA. He would be filling the vacant seat of Jason Bond with the term ending December 2023. Motion by Councilman Zittel, seconded by Councilman Snyder, to appoint James F. Miller to the Zoning Board of Appeals. His term will be July 9, 2020 to December 31, 2023. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried. Supervisor Drake noted that there is another opening on the ZBA if anyone knows of an interested person.

ITEM #6 EXECUTIVE SESSION

Supervisor Drake advised that the Board would go into Executive Session to discuss pending litigation; there will be no action taken. Motion by Councilman Krezmien, seconded by Councilman Zittel, to go into Executive Session at 8:34 p.m. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Motion by Councilman Drozd, seconded by Councilman Zittel, to come out of Executive Session at 9 p.m. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #7 CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #8 COUNCILMAN NOTES

a) Councilman Drozd informed the Board that the bids went out for the Springville Fire Department parking lot. Once a bid is accepted, there will be discussion with the contractor to quote the library parking lot.

b) Supervisor Drake noted that the Concerts in the Park were to start on July 16th with restrictions. Crowd size limited to 50. There has been communication between Mayor Krebs and Supervisor Drake and Mayor Krebs is ready to cancel the Concerts again. Supervisor Drake noted that he agreed and believes there will be no Concerts this year.

c) Supervisor Drake provided the Board with the flyer on the SYI Re-opening of the Pool Programs. SYI is doing a good job following the CDC and Health Department guidelines.

July 9, 2020

d) Supervisor Drake has been in discussion with Jim Thoman regarding the Craneridge Sewer. The distribution box is rusting out. Mr. Thoman has been looking for a new distribution box at a reasonable cost. One was located at \$2,900 plus over \$4,000 for R&P Mechanical to install. Mr. Thoman contacted Bob Darling who quoted \$1,500. Mr. Thoman would try to install it himself; not sure that Mr. Whitmer will be able to help so he may need to have someone from MDA Engineers come help. The previous distribution box was installed by Mr. Thoman.

e) Supervisor Drake advised the Community Park opened on Tuesday, July 7th. The barricades have been removed on the roadside parking lot for parking access. The restrooms are not open.

f) Supervisor Drake informed the Board that the Senior Van will be going in to the shop on Tuesday, July 14th. The Van has about 120,000 miles on it now and this appointment is to check the vehicle before the warranty period ends.

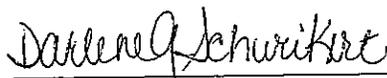
g) Supervisor Drake noted that the Senior Center has a carpenter bee problem. An exterminator was there this week to spray the holes. This cost \$250. A reflective device was also installed for \$75 to help keep the bees away. The problem then become a matter where the woodpeckers started to come. At the time of the build of the Senior Center these boards should have been pressured treated and they were not. The only way to stop this now is to put another coat of stain on it. A quote of \$3,200 was received to restrain the beams which would include taking care of the holes with caulk; the front/back/side of the building and the windbreak; it would be a two-day job. Supervisor Drake will try to get another quote before the August meeting.

h) Supervisor Drake met with Jimmy the Lock to put new locks on the Town Hall bathroom doors. Mr. Myers also went to the Senior Center because the back door was not opening correctly; he will get the doors squared away.

ITEM #9 MOTION TO ADJOURN

Motion by Councilman Krezmien, seconded by Councilman Snyder, and passed unanimously, to adjourn the meeting at 9:13 p.m. in memory of:

Joan Marie Lenza
Mary Lou Orndorff
Nancy James
Claudia A. Bilodeaux



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

Email: concordhighway@gmail.com

Barry A. Edwards, Highway Superintendent

Highway Superintendent's Report for the period of June 12 to July 9, 2020.

- The crew has continued to pave Smith Road, Spaulding Road, Kern Road, Transit Line Road, Middle Road, and Davis Hill Road. I would like to thank the Town of Sardinia and their men for the use of their Ladon Paver to complete this task.
- The men continued to haul chipping stone. It is all in the yard waiting to be put down; there is approximately 952 tons.
- JD Simmons continues to mow shoulders.
- The crew has continued chipping brush on Spaulding Road, Kern Road, Smith Road, Transit Line Road, Middle Road, and Davis Hill Road.
- Sean Andrews graded White Street and did some excavation work for the Village in the Village dumps.
- JD Simmons changed out mower blades on mower/tractor and assisted Bill Wood with putting shoulder machine on Truck 18 so we can do shoulders on everything that we paved.
- The crew did all shoulders on Smith Road, Spaulding Road, Kern Road, Transit Line Road, Middle Road, and Davis Hill Road. All ready for chipping; estimated date is July 14.
- Picked up Covid-19 sign from Erie County Sign Shop and placed at Concord Town Park.
- Got bills from Gernatt's for blacktop, got bills from D&H Materials, Inc. for chipping stone for submitting to Chips and Pave, New York, for reimbursement.
- Talked to Joe Roosa about water going to front road ditch on Cascade Drive. I can address any questions if needed.
- Marked out roads for chipping and crew put out oil and chip signs.

- JD Simmons helped Sardinia pave with Truck 13.
- Sent out bid specs for new truck.
- Marked out four locations in Crane Ridge for Dig Safely New York (DSNY) for doing ditch work in Crane Ridge. Also, marked one out on Mayo Road and talked to an individual in Crane Ridge about doing yard work on Ridge Trail.
- Sean Andrews and Dan Salzler cleaned up entrance to Crane Ridge and blew off roads up there where gravel was found.
- I talked to the crew about the current and past mandatory shut down during the week of July 4th. In the future, this week will NOT be mandatory; the guys can use vacation time if they want off, but they're not required to.

COVID-19 SAFETY WARNING

PARKS/PLAYGROUNDS/PARKS EQUIPMENT
IS NOT SANITIZED.
USE AT YOUR OWN RISK.



STAY AT HOME
IF YOU'RE SICK.



AVOID TOUCHING
SURFACES & USE
DISINFECTANT WIPES
WHERE POSSIBLE.



PRACTICE
SOCIAL
DISTANCING.



WASH HANDS WITH
SOAP AND WATER
FREQUENTLY.

CONCORD SENIOR CENTER POLICY

ALL POLICIES ARE PER CDC -NYS DEPT OF HEALTH & ERIE COUNTY GUIDESLINES

-Use of face masks required while in building -Unless seated for Congregate Dining-but if traveling to restrooms or leaving building -masks must be worn-Masks will be provided if needed-

- All seniors will enter front door and leave via side door in small room or large center doors in large room-

-Anyone entering the building must sign with name address & phone number-this is for contact tracing if needed-

-All seniors will have to answer questionnaire-

-Must use hand sanitizer upon entering building-

-All pens for sign in will be one-time use -then sanitized -

-All must follow signage as posted-

-Limited number of people in building per guidelines set by Concord Town Supervisor & Director of Concord Senior Center-

-Everyone must continue to social distance-

-All large gatherings & trips postponed until further notice-

-All participants of any activity will have a leader that will be informed from their group- the number of seniors that will be attending activity - that person will notify the Director - prior to the activity-this is to follow CDC Guidelines of number of people in building

-Any activities or groups will have to use hand sanitizer after touching any surfaces or supplies-

-Exercise classes---everyone will have to have own equipment-

Participations will have masks on entire time in building unless during Congregated Dining or exercise program- when you can safely socially distance-

-There will be 30 minutes between each activity to sanitize

-NO ONE allowed in rooms till sanitized-

-All seating & table setups will be maintained as per social distancing guidelines-

-Husbands & wife's or partners or same family members may sit together during lunch without masks on-others MUST FOLLOW GUIDE LINES-

-All tables & chairs during Erie County Nutrition lunch will have x's under them-Tables & chairs MUST REMAIN THERE DURING LUNCH – Per Erie County Guidelines .

-There will be NO SHARING AT ANY TIME OF FOOD OR DRINK-seniors may bring in own beverage –

-All drinking fountains will be blocked-bottles of water will be available-one per person to be consumed at center-

-NO ONE ALLOWED IN KITCHEN EXCEPT STAFF OR VOLUNTEER -

-If number of people in building are met-NO FURTHER PEOPLE WILL BE ADMITTED--NO EXCEPTIONS

-Congregate Lunch will be done per Erie County Guide Lines-

-Sanitizing will be done as per Center policy

-If anyone appears to be symptomatic-The Director can refuse to admit them unless their temperature is taken & it is below 100.4-

-Staff will follow Concord Senior Center Policy for staff members

ANYONE REFUSES TO OBEY RULES WILL BE ASKED TO LEAVE CENTER

SIGNED -DIRECTOR—ELEANOR ESCHBORN

SIGNED -TOWN SUPERVISOR –CLYDE DRAKE -

TOWN OF CONCORD

Jeff Singleton, Code Enforcement/Building Inspector

86 Franklin Street

P.O. Box 368

Springville, NY 14141

(716) 592-4946 x 314 or (716) 863-0362

June 26, 2020

Dear Town of Concord Board,

I would like to present a proposal of Constable Road Patrol similar to the Town of Wheatfield. I feel this would benefit the Town of Concord by providing addition patrols. This would provide added community service, and safety for the Town of Concord.

A Constable is a public official who is elected or appointed rather than hired. Constables are considered peace officers (NYS Criminal Procedure Section 2.10) and have law enforcement powers within their jurisdiction while on duty (Section 2.10).

All Constables must either go through the New York State approved Peace Officer Training or have completed a Police Officer Academy as outlined by the New York State Division of Criminal Justice Services.

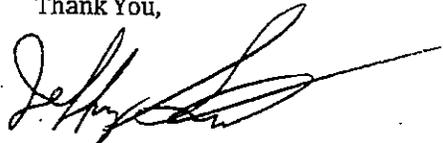
Constables within the Town of Concord serve at the pleasure of the Town, in the capacity of, but not limited to the following duties: (also see attached list of powers/duties)

- 1) Court Officer
- 2) Town Board meeting security
- 3) Community Event security
- 4) Routine Town patrol activities
- 5) Assigned details or tasks by the Town Supervisor, Town Board or Town Court

The estimated start up cost for this would be between \$25,000-\$30,000 which would include a vehicle, computer, radar unit, radios, & uniform shirts.

The number of Road Patrol Constables and their salary would be determined at a later date.

Thank You,



Jeffrey Singleton

1. The persons designated in section 2.10 of this article shall have the following powers:

(a) The power to make warrant-less arrests pursuant to section 140.25 of this chapter.

(b) The power to use physical force and deadly physical force in making an arrest or preventing an escape pursuant to section 35.30 of the penal law .

(c) The power to carry out warrant-less searches whenever such searches are constitutionally permissible and acting pursuant to their special duties.

(d) The power to issue appearance tickets pursuant to subdivision three of section 150.20 of this chapter, when acting pursuant to their special duties. New York city special patrolmen shall have the power to issue an appearance ticket only when it is pursuant to rules and regulations of the police commissioner of the city of New York.

(e) The power to issue uniform appearance tickets pursuant to article twenty-seven of the parks, recreation and historic preservation law and to issue simplified traffic information's pursuant to section 100.25 of this chapter and section two hundred seven of the vehicle and traffic law whenever acting pursuant to their special duties.

(f) The power to issue a uniform navigation summons and/or complaint pursuant to section nineteen of the navigation law whenever acting pursuant to their special duties.

(g) The power to issue uniform appearance tickets pursuant to article seventy-one of the environmental conservation law, whenever acting pursuant to their special duties.

(h) The power to possess and take custody of firearms not owned by the peace officer, for the purpose of disposing, guarding, or any other lawful purpose, consistent with his duties as a peace officer.

(i) Any other power which a particular peace officer is otherwise authorized to exercise by any general, special or local law or charter whenever acting pursuant to his special duties, provided such power is not inconsistent with the provisions of the penal law or this chapter.

(j) Uniformed court officers shall have the power to issue traffic summonses and complaints for parking, standing, or stopping violations pursuant to the vehicle and traffic law whenever acting pursuant to their special duties.

2. For the purposes of this section a peace officer acts pursuant to his special duties when he performs the duties of his office, pursuant to the specialized nature of his particular employment, whereby he is required or authorized to enforce any general, special or local law or charter, rule, regulation, judgment or order.

3. A peace officer, whether or not acting pursuant to his special duties, who lawfully exercises any of the powers conferred upon him pursuant to this section, shall be deemed to be acting within the scope of his public employment for purposes of defense and indemnification rights and benefits that he may be otherwise entitled to under the provisions of section fifty-k of the general municipal law , section seventeen or eighteen of the public officers law , or any other applicable section of law.