

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

August 12, 2021

MEETING CALLED TO ORDER BY CLYDE M. DRAKE, SUPERVISOR

PRESENT: CLYDE M. DRAKE, COUNCILMAN  
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  
CAROLYN ROBINSON, Dog Control Officer

GEORGE DONHAUSER                      KIMBERLY KRZEMIEN  
DIANE GAMEL                              DAVID GAMEL  
JOSH BENNETT, EDF Renewables      HAYLEE FARRINGTON, EDF Renewables  
LARRY WINGIER

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY SUPERVISOR DRAKE

Supervisor Drake asked for a motion to add to the agenda Items 1 (d) Bid Opening-Senior Center Paving - 8/5/2021 and New Business 5(e) Dog Census, 5(f) Kissing Bridge Water Repair and 5(g) Craneridge Sewer Repair. Also 3(f) Supervisor's Report - June 2021 is removed from the agenda. Motion by Councilman Krezmien, seconded by Councilman Snyder to make the above changes to the agenda. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #1      APPROVAL OF MINUTES

a) Special Town Board Meeting -- 7/1/2021- Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

b) Work Session -- 7/8/2021 - Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

c) Town Board Meeting -- 7/8/2021- Motion by Councilman Snyder, seconded by Councilman Krezmien, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

d) Bid Opening -- Senior Center Paving -- 8/5/2021- Motion by Councilman Snyder, seconded by Councilman Zittel, to approve the minutes as presented. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #2      PUBLIC COMMENT

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

Motion by Councilman Zittel, seconded by Councilman Krezmien, to close Public Comment. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #3      MONTHLY REPORTS

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

- a) Code Enforcement Officer – July 2021
- b) Dog Control Officer – July 2021
- c) Town Clerk Report – July 2021
- d) Supervisor's Report – April 2021
- e) Supervisor's Report – May 2021
- f) Van Report – July 2021
- g) Judge Frank – July 2021

h) Highway Report - Hwy Supt Edwards read his filed report. His report is included in the Minute Book.

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

ITEM #4      OLD BUSINESS

There was nothing for Old Business.

ITEM #5      NEW BUSINESS

a) Audit of the Bills –These bills were audited by Councilman Snyder, and reviewed by the Board.

General Fund A, abstract 8, bills 701-773; \$32,207.15  
 General Fund B, abstract 8, bills 774-784; \$7,183.09  
 Library Fund, abstract 8, bills 785-786; \$326.33  
 Fire Protection, abstract 8, bill 787; \$4,778.63  
 Joint Van, abstract 8, bills 788-795; \$836.02  
 Joint Youth, abstract 8, NONE  
 Craneridge Lighting, abstract 8, bill 796; \$3,532.78  
 Craneridge Sewer, abstract 8, bills 797-809; \$9,893.34  
 Highway DA, abstract 8, NONE  
 Highway DB, abstract 8, bills 810-828; \$66,029.52  
 Kissing Bridge Water, abstract 8, bills 829-833; \$339.27  
 Kissing Bridge Sewer, abstract 8, bills 834-838; \$6,427.00  
 Trevett Rd. Water, abstract 8, NONE  
 Cattaraugus St. Water, abstract 8, NONE  
 Trust & Agency, abstract 8, bill 839-842; \$7,096.15  
 Capital (HA) Craneridge Sewer, abstract 8, NONE  
 Capital (HB) Land, abstract 8, NONE  
 Capital (HD) Catt St, abstract 8, NONE  
 Capital (HE) Sr. Ctr, abstract 8, NONE  
 Capital (HF) Hwy Equip, abstract 8, NONE  
 Capital (HG) Waste Study, abstract 8, NONE

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

b) Senior Center Parking Lot Bid – Caleb Henning, MDA Engineers, reviewed the bids received and submitted their recommendation to the Board. Supervisor Drake read the MDA Consulting Engineers August 11, 2021 letter. Occhino Corp. 2650 Seneca Street, West Seneca, New York submitted the mathematical low base bid in the amount of \$88,872.50. Based on MDA's previous interactions with Occhino Corp., their opinion is that they have the experience, personnel and equipment to successfully

complete a project of this nature and asked the Board to award this contract to Occhino Corp. in the amount of their bid of \$88,872.50 and authorize the Supervisor Drake to sign the Notice of Award and authorize Supervisor Drake to sign the Agreement and Notice to Proceed, contingent upon Occhino Corp. providing the required bonds and insurance. Supervisor Drake advised that the Town received a \$60,000 Community Development Block Grant and the Town will make up the difference. There will also be the MDA Consulting Engineers' costs and the cost to fix the back parking lot. The Highway Department and Councilman Zittel have assisted in this project. The next closest bid was \$117,200 with the highest bid being \$128,790.

Motion by Councilman Drozd, seconded by Councilman Krezmien, to award the contract to Occhino Corp in the amount of their bid of \$88,872.50 and to authorize Supervisor Drake to sign the Notice of Award, Agreement and Notice to Proceed. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

c) EDF Renewables – Josh Bennett and Haylee Ferrington from EDF Renewables updated the Board with regard to the Genesee Road Solar Energy Center project. Mr. Bennett advised that this is a 350 Mwac (mega-watt, alternating current) system with a land use of 2,000 acres (including boundaries) which will service 80,000 homes. The project life is 35 years and then it will be decommissioned. EDF Renewables will continue to sign more leases with the residents in the area and are working on easements to connect the properties. Mr. Bennett reviewed the Project Timeline; they are transitioning from an Article 10 application to a 94C application and the permitting process should be completed by November 2023. The reason for the transition is the 94C application is more streamlined. First quarter of 2024 the construction will begin and by the last quarter of 2025 the construction ends and the system will be operational. 94C applications do not have funding available pre-application. EDF Renewables is offering \$20,000 in an escrow account for each town to account for attorney's fees and consultants prior to the 94C application. Mr. Bennett reviewed the Local Agency Account funding of \$1,000/MW (\$350,000) which is used to defray costs in participating in the permitting process, for review and comment and hiring of experts. Intervenor funds will be made available to host communities. Councilman Snyder asked what "political subdivision" means as referred to in Intervenor Funding. Mr. Bennett did not know but will get clarification. Supervisor Drake asked the timeline for host community agreements and that comes later in the project. Supervisor Drake asked who the Town should reach out to on this project; Ryan Storke keeps asking for letters of support. Mr. Storke is still working on the project but the Town can contact Jack Honor, Senior Development Manager.

Haylee Ferrington addressed the Board. EDF Renewables' desire is to enter into a long-term PILOT agreement with the Erie County IDA and will continue their conversations with the Erie County IDA. Mr. Bennett stated that under standard PILOTs the town tends to get a smaller chunk so trying to even out and level out to make the distribution of funds equitable. Supervisor Drake noted that Sardinia is not interested in a PILOT since the Town has no town tax. Ms. Ferrington advised that they want the Towns to benefit the most and extended an invitation to the Town to be included in the IDA meetings. The Town had their own IDA but it is currently in a state of flux; the Town is working with New York State on disbanding the Concord IDA. For that reason, the Town would like to be included in the Erie County IDA meetings. Ms. Ferrington will advise Supervisor Drake of these meeting dates.

Ms. Ferrington reviewed the Host Community Benefits which include a Community Benefit Fund which would distribute funds to local civic groups, nonprofits, and projects. EDF Renewables will provide a scholarship to two graduates interested in renewable energy or a trade for the first ten years of the project. The first scholarship was just given out. There will also be an Electricity Benefit Program to all residential electricity customers in the Town of Concord (excluding the Village residents) in the form of a credit on their electric bill. The layers of Economic Impacts were also reviewed; this includes lease payments, jobs, local spending on hosts, restaurants, supplies, subcontractors, sheep farmers and beekeepers. There will be a continued need for fencing repair and snow removal throughout the project. EDF Renewables will be in

contact with the Town throughout the process so the Town will know the timeline for applying for Intervenor Funds. Supervisor Drake advised that thus far the Town has been reimbursed by New York State for all costs. Supervisor Drake asked if EDF Renewables had dealt with any decommissioning projects yet and Mr. Bennett stated that they had and have not had any problems.

The Board thanked Mr. Bennett and Ms. Ferrington for the updates and they left the meeting. Supervisor Drake addressed Mr. and Mrs. Gamel and noted that this project is a whole different ballgame than theirs in Collins; the state will steamroll the Town. Mr. Gamel noted that he has been working on this for the past three months; he doesn't believe these projects should be allowed to be so close to the adjoining property owner's homes.

d) Budget Work Shop Dates – The following dates were set for the 2022 Budget Work Sessions to be held in the Conference Room at the Town Hall:

Wednesday, August 25<sup>th</sup> at 6 p.m.  
 Wednesday, September 8<sup>th</sup> at 6 p.m.  
 Wednesday, September 25<sup>th</sup> at 6 p.m.

e) Dog Census – Dog Control Officer Robinson has requested that because of medical issues, the Town authorize Alternate Dog Control Officer Phyllis Jensen to conduct the Town's dog census. Councilman Drozd asked if Ms. Jensen was familiar with the process and DCO Robinson said yes. Motion by Councilman Krezmien, seconded by Councilman Drozd, to authorize Alternate Dog Control Officer Phyllis Jensen to conduct the Town's dog census. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

f) Kissing Bridge Water Repair – Water District Superintendent Duane Boberg brought to the Board's attention that there were two heaters at the Kissing Bridge Water Plant previously but one is gone and the other is on its last leg. A quote was obtained from Reding Inc. for a new heater in the amount of \$2,600. Supervisor Drake advised that Reding Inc. had been at the Senior Center recently and appears to have figured out the air conditioner which has been giving the Town problems for years.

Supt Boberg has rebuilt the pump numerous times and wants the Town to have a replacement on hand. A quote has been obtained from USA Bluebook for a 19.2 GPD, 110 PSI Excel pump with auto-prime in the amount of \$1,435.28. This new pump would be installed as the main pump and the current pump would be on hand for a spare pump.

Supervisor Drake had provided the members with the fund balances sheet showing the Available Fund Balance as of 12/31/2020. Kissing Bridge Water District has a fund balance of \$8,171. If the Board approves these purchases, the account will be overrun by an estimated \$2,000-\$3,000. Supervisor Drake would put together a resolution to use the Kissing Bridge Water District fund balance.

Motion by Councilman Drozd, seconded by Councilman Zittel, to contract with Reding Inc. for the heater replacement per the August 10, 2021 quote in the amount of \$2,600. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Motion by Councilman Drozd, seconded by Councilman Snyder, to allow Supt Boberg to purchase the 19.2 GPD, 110 PSI Excel pump per the August 8, 2021 USA BlueBook quote in the amount of \$1,435.28. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

g) Craneridge Sewer Repair – Jim Thoman advised that the roof is leaking at the Craneridge Sewer plant. He also looked at the roof at the Ridge Trail pumping station. A quote was received from Kupka's Enterprise for removal and replacement of the shingles on sheds the two sheds and repairing the shed roof at Craneridge. The quote was for \$1,200. An additional disposal fee of \$300 would be required if a dumpster

would need to be rented. This \$300 would not be charged if access to the Town's dumpster would be available. Kupka would transport debris to a town dumpster. Councilman Drozd had checked and construction debris can go in our dumpsters. Supervisor Drake noted that there is money in the budget to cover these costs. Motion by Councilman Krezmien, seconded by Councilman Zittel, to approve the Kupka's Enterprise LLC quote dated August 8, 2021 for the removal, replacement and repair of the Craneridge Sewer sheds in the amount of \$1,200. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

ITEM #6 EXECUTIVE SESSION

There was nothing for Executive Session.

ITEM #7 CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #8 COUNCILMAN NOTES

a) Councilman Zittel thanked the Highway Department and Councilman Drozd for their assistance with the Senior Center parking lot project. Their efforts were a big savings to the Town. Councilman Drozd thanked Councilman Zittel for donating his time, men, equipment and gas for this project; it saved the Town money and the Board appreciates his efforts.

ITEM #9 MOTION TO ADJOURN

Motion by Supervisor Drake, seconded by Councilman Zittel, and passed unanimously, to adjourn the meeting at 8:10 p.m. in memory of:

- Kevin P. O'Brien
- Robert F. "Fritz" Aderman, Jr.
- Maureen A. Meyers
- Paul E. Halter
- Eugene H. Hacker, Sr.
- Edward J. Mitchell
- Jeanne Marie Hutchings
- Mary T. Kwiatek



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 July 9, 2021 to August 12, 2021.

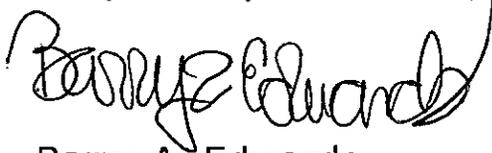
With thirty-two days in this period the Highway Department accomplished the following:

- Helped Village Highway mill Elm Street, Child Street, Mill Street, and Pearl Street.
- Continue mowing all Town Roads.
- Had window installed on tractor JX90U, changed oil and had new blades installed.
- Took another load of scrap to Preivity's Auto Wrecking, Inc.
- Picked up Chipper from Colden, and chipped trees in the Town Park, Chase Road, and Pritchard Road.
- Serviced small Roller.
- Installed chip and oil signs for the upcoming work on North Street, North Central, Chase Road, and White Street.
- Swept North Street, North Central, Chase Road, and White Street.
- Serviced Excavator and changed oil in drive motor.
- Took Excavator to Spaulding Road to fix the outlet of the culvert pipe. Checked other culverts in the Town.
- Fixed cross culvert on Morton Road with blacktop several times. This culvert is going to have to be replaced in the upcoming budget.
- Swept gravel off Abbott Hill Road, Manchester Road, Middle Road, and Transit Line Road due to the storm damage.

- Started work on Davis Hill Road fixing storm damage. This appears to be the road in the Town that was damaged the most. Had to do the resetting of 8ct. 2x6 blocks at the bottom of the hill, also required a lot of hand patching of blacktop. There were a lot of shoulder work and driveway approaches to be repaired. The damage from the storm also required the cleaning up of Jeff Morlock's yard.
- Swept gravel off of Scoby Hill Road, and installed a new Stop Sign.
- The Crew checked the East and West Side roads with the two 550's looking for more storm damage, and straightening road signs.
- Continue to keep an eye on beaver dam.
- Helped Sardinia Highway Dept. with chipping Sardinia Roads.
- Repaired damaged hydraulic hose on Truck#12 and, fixed oil leak on Truck#14.
- Moved big Roller to Senior Center for upcoming parking lot excavation starting August 11th through the 12<sup>th</sup>.
- Cleaned ditch and oversized on Kern Road from erosion of storm.

I will be out of town starting August 13<sup>th</sup> and will be back on August 20<sup>th</sup>. Larry Heim will be in charge and has a list of things to do. Larry can be contacted at 716-725-5741 if needed.

Respectfully Submitted,



Barry A. Edwards  
Highway Superintendent