

TOWN OF CONCORD TOWN BOARD MEETING February 10, 2022
7:00 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,
at 7:00 p.m.

ROLL CALL: PHILIP DROZD, SUPERVISOR
CLYDE M. DRAKE, COUNCIL MEMBER
KENNETH D. ZITTEL, COUNCIL MEMBER
KIMBERLY S. KRZEMIEN, COUNCIL MEMBER

EXCUSED: WILLIAM F. SNYDER, III, COUNCIL MEMBER

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk
BARRY A. EDWARDS, Hwy Supt.
BRIAN F. ATTEA, Town Attorney

GEORGE DONHAUSER ANDREW REILLY, Wendel Companies
THOMAS HAWKINS JOLENE HAWKINS
KATELYN ZIEMBA JEFFREY SOUDER, Assemblyman DiPietro Office
RILEY MAHONEY SEAN MAHONEY
KNIGHT BULERA

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY DEPUTY SUPERVISOR DRAKE

Supervisor Drozd asked those in attendance for a moment of silence in memory of Town Historian David Batterson who passed away earlier this week. The meeting was also opened in his memory.

ITEM #1 APPROVAL OF MINUTES

a) Organizational Meeting – 1/13/2022 - Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve the minutes as presented. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

b) Town Board Meeting – 1/13/2022 - Motion by Council Member Drake, seconded by Council Member Zittel, to approve the minutes as presented. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

c) Bid Opening re: Spring Trash – 2/7/2022 – Two bids were received: Waste Management \$17,000 and MRC Disposal \$17,250. Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve the minutes as presented. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

ITEM #2 PUBLIC COMMENT

Supervisor Drozd opened the floor for Public Comment.

a) Katelyn Ziemba addressed the Board. She is the Concord town leader for DivideNY. DivideNY is a plan to partition the current NYS Government into 3 separate, autonomous regions. Her prepared statement is attached to the Minutes. Ms. Ziemba thanked the Board.

No one else wished to address the Board. Motion by Council Member Zittel seconded by Council Member Drake, to close Public Comment. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

ITEM #3 MONTHLY REPORTS

Motion by Council Member Krzemien, seconded by Council Member Krzemien, to approve the Monthly Reports, Items a-d. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

- a) Code Enforcement Report – January 2022
 - b) Dog Control Officer Report – January 2022
 - c) Supervisor Report
 - d) Town Clerk Report – January 2022
- e) Senior Director Report – January 2022 –Senior Director Eschborn filed her Report. Supervisor Drozd highlighted her report:

1) The Senior Center will be closed next week February 17-18. The contractors who will putting up the room dividers in and with the winter weather now he is going to do the preliminary work on the ceiling where the dividers will hook in and requires the Center to be closed. There will be some minimal damage to the walls with this project; the room will need to be slated for repainting next year.

2) Senior Director Eschborn and Supervisor Drozd decided to make the first office on the right at the entrance of the building into an information center so all information will be in one location in the Center.

3) Erie County Book Mobile will be coming to the Center starting in March, every Wednesday. This is open to all ages; not just Seniors. It is all free.

4) Forever-NU from Boston, a mobile thrift center, will be coming to the Center on Wednesday, March 8. There is no cost to the Town.

5) All the equipment from the County grant is working out great.

6) The cleaning service is doing great. Steven Nellis tendered his resignation. Robert Schueler will be his replacement. Mr. Schueler was the head custodian for SGI and has offered to run the floor scrubber if the cleaning service cannot make it in due to weather conditions or if she is backed up at least to get the floors cleaned. Mr. Schueler was there to learn how to run all the equipment.

7) Supervisor Drozd spoke with Hwy Supt Edwards regarding the snow removal at the Center and a procedure is in place at the Center.

Motion by Council Member Zittel, seconded by Council Member Drake, to accept the Senior Director Report. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

- f) Highway Report – Hwy Supt Edwards read his filed report

Motion by Council Member Krzemien, seconded by Council Member Zittel, to accept the written Highway Report. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

ITEM #4 OLD BUSINESS

There was nothing for Old Business.

ITEM #5 NEW BUSINESS

- a) Committee Reports

1) Council Member Krzemien attended the West Valley Citizen Task Force Meeting on January 26th. It was their first meeting of the year so it was their organizational meeting. There was a project update that was fascinating. An Ad Hoc Committee will be formed for after the commissioning is done and she will be on that Committee.

2) Council Member Krzemien has been in contact with the Boston Fire Company and she will be attending their next meeting.

b) Audit of the Bills – Supervisor Drozd stated that these bills were audited by Council Member Zittel, and reviewed by the Board.

Year 2021 Abstract 14:

General Fund A, abstract 14, bills 1476-1485; \$10,142.15
 General Fund B, abstract 14, bill 1486; \$1,500.00
 Library Fund, abstract 14, bill 1487, \$335.73
 Fire Protection, abstract 14, NONE
 Joint Van, abstract 14, NONE
 Joint Youth, abstract 14, NONE
 Craneridge Lighting, abstract 14, NONE
 Craneridge Sewer, abstract 14, bills 1488-1490; \$649.25
 Highway DA, abstract 14, bill 1491; \$4,616.80
 Highway DB, abstract 14, bills 1492; \$1,152.63
 Kissing Bridge Water, abstract 14, NONE
 Kissing Bridge Sewer, abstract 14, 1493; \$233.00
 Trevett Rd. Water, abstract 14, NONE
 Cattaraugus St. Water, abstract 14, NONE
 Trust & Agency, abstract 14, NONE
 Capital (HA) C. Sewer, abstract 14, NONE
 Capital (HB) Land, abstract 14, NONE
 Capital (HD) Catt St, abstract 14, NONE
 Capital (HE) Sr. Ctr, abstract 14, NONE
 Capital (HF) Hwy Equip, abstract 14, NONE
 Capital (HG) Waste Study, abstract 14, NONE

Motion by Council Member Zittel seconded by Council Member Drake, to approve the bills in Year 2021 Abstract 14 as presented. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

Year 2022 Abstract 2:

General Fund A, abstract 2, bills 38-112; \$33,050.52
 General Fund B, abstract 2, bills 113-117; \$176.50
 Library Fund, abstract 2, bills 118-121; \$367.78
 Fire Protection, abstract 2, bill 122; \$4,778.63
 Joint Van, abstract 2, bills 123-126; \$360.77
 Joint Youth, abstract 2, bills NONE
 Craneridge Lighting, abstract 2, NONE
 Craneridge Sewer, abstract 2, bills 127-132; \$3,166.35
 Highway DA, abstract 2, NONE
 Highway DB, abstract 2, bills 133-162; \$46,879.54
 Kissing Bridge Water, abstract 2, NONE
 Kissing Bridge Sewer, abstract 2, bills 163-164; \$61.69
 Trevett Rd. Water, abstract 2, NONE
 Cattaraugus St. Water, abstract 2, NONE
 Trust & Agency, abstract 2, NONE
 Capital (HA) C. Sewer, abstract 2, NONE
 Capital (HB) Land, abstract 2, NONE
 Capital (HD) Catt St, abstract 2, NONE
 Capital (HE) Sr. Ctr, abstract 2, NONE
 Capital (HF) Hwy Equip, abstract 2, NONE
 Capital (HG) Waste Study, abstract 2, NONE

Motion by Council Member Zittel seconded by Council Member Krzemien, to approve the bills in Year 2022 Abstract 2 as presented. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

c) Award Spring Trash Pickup - Two sealed bids had been received. Waste Management with a bid of \$17,000 and MRC Disposal with a bid of \$17,250. Motion by Council Member Drake, seconded by Council Member Zittel, to accept Waste Management bid of \$17,000. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

d) SEQR Decision and Adopt/Accept 2021 Comprehensive Plan Update – Andrew Reilly of Wendel Companies has been working on the Comprehensive Plan Update based on the grant from Erie County has completed the revision. Town Atty Attea noted that the Town Board is prepared to vote on whether or not to accept the proposed 2021 Comprehensive Plan Update. Mr. Reilly provided the Town with the two Resolutions to be passed.

1) Council Member Drake moved the adoption of Resolution 1, seconded by Council Member Zittel:

WHEREAS, the Town of Concord, based on proposed large-scale projects in the Town and changing NYS regulations, has worked diligently in preparing an Update of the 2018 Comprehensive Plan of the Town of Concord through a grant from Erie County; and

WHEREAS, through the coordinated actions of a Comprehensive Plan and Solar Law committee, Erie County and through the Town's Planning Consultant, the Town has completed a Comprehensive Plan Update; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQR) of the Environmental Conservation Law, the Concord Town Board has established itself as SEQR Lead Agency and conducted a coordinated environmental (SEQR) review for this Type I action; and

WHEREAS, the Town Board has received input from the public and from other Involved and Interested agencies, and has taken a hard look at the social, economic and environmental impacts of the adoption of the Comprehensive Plan 2021 Update; and

WHEREAS, the findings of this review indicate that the adoption of the Town of Concord Comprehensive Plan 2021 Update will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public, and will help manage growth and development in the Town in a manner that will have potentially beneficial impacts on aesthetics, recreation, transportation and community character.

NOW, THEREFORE, BE IT RESOLVED, that the Concord Town Board, as SEQR Lead Agency for this action, has determined that the adoption of the Town of Concord Comprehensive Plan 2021 Update will not result in any significant adverse impacts on the environment, and a Negative Declaration is hereby issued, based on the reasons as set forth in the Notice of Determination of Non-Significance; and

BE IT FURTHER RESOLVED, that the Concord Town Board recognizes the fact that the adoption of the Comprehensive Plan Update incurs no direct environmental impacts, and that the implementation of any suggested actions under the Comprehensive Plan, which may have potential impacts on the physical development of the Town, may require subsequent and specific SEQR review; and

BE IT FINALLY RESOLVED that the Town Board authorizes the Town Supervisor to sign the Environmental Assessment Form and authorizes Wendel, the Town's consultant, to undertake the appropriate notices and filings.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Aye
Council Member Snyder	Excused
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

2) Council Member Drake moved the adoption of Resolution 2, seconded by Council Member Zittel:

WHEREAS, the Concord Town Board, its Comprehensive Plan and Solar committee, Town staff, Erie County representatives and citizens have worked diligently in preparing a Comprehensive Plan update of the Town's 2018 Comprehensive Plan; and

WHEREAS, through the coordinated actions of the Town Board, Comprehensive Plan and Solar Committee, Town staff, Erie County representatives and citizens, the Town has completed the Comprehensive Plan 2021 update in accordance with Section 272-a of New York State Town Law; and

WHEREAS, the Town of Concord Town Board has reviewed the draft submission and directed updates of the Plan in response to input received; and

WHEREAS, the Concord Town Board held a public hearing to solicit final comments on the draft Plan; and

WHEREAS, the Concord Town Board, as Lead Agency, through a coordinated review process, which was conducted in accordance with the requirements of the State Environmental Quality Review Act (SEQRA), has determined that the adoption of the Comprehensive Plan will not have a significant effect on the environment and has issued a Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Concord Town Board hereby accepts the document entitled "Town of Concord Comprehensive Plan Update", dated February 2018 and updated 2021, as the Town's Comprehensive Plan; and

BE IT FINALLY RESOLVED that a copy of the Town of Concord Comprehensive Plan be filed in the Office of the Concord Town Clerk and placed on the Town's website.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Aye
Council Member Snyder	Excused
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted

e) Approve \$1,500 for Maplewood Cemetery for 2021 out of 2021 Budget -- Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve \$1,500 for Maplewood Cemetery for 2021 out of 2021 Budget. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried. Council Member Drake advised Supervisor Drozd to notify Maplewood Cemetery representatives to get their bill in sooner. In July 2021, the Town the \$1,500 for Year 2020 and now the cemetery is coming late for Year 2021.

f) Resignation of Steven Nellis Cleaner/Snow Removal at the Senior Center – Motion by Council Member Zittel, seconded by Council Member Drake, to accept the resignation of Steven Nellis Cleaner/Snow Removal at the Senior Center with regrets. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

g) Hiring of Robert Schueler backup Cleaner/Snow Removal at the Senior Center – Motion by Council Member Drake, seconded by Council Member Zittel, to approve the hiring of Robert Schueler backup Cleaner/Snow Removal at the Senior at the rate of \$15/hour. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

h) Approve hiring Zuech's Environmental for repair of Sewer Main Crane Ridge- Supervisor Drozd advised that this is based on the recommendation of Ben Slotman. Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the hiring of Zuech's Environmental for repair of the sewer main Craneridge in the amount of \$3,500. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried. Council Member Drake noted that this repair is to remove a stray section of a sewer snake that is abandoned in the line.

i) NYS Senate Bill S7602 Resolution – Supervisor Drozd related the background on this Senate Bill. If passed it would add into state law a duty for reproductive tissue banks to collect and verify medical, education and criminal background for all donors.

Council Member Zittel moved the adoption of Resolution 3, seconded by Council Member Krzemien:

WHEREAS, the Concord Town Board acknowledges the importance of parents and donor-conceived persons knowing the medical, educational and criminal felony conviction history of individuals who have donated reproductive tissue to a reproductive tissue bank for the purposes of an artificial insemination or assisted reproductive technology procedure and disseminating this history information to a recipient and donor-conceived person upon request upon request, if any; and,

WHEREAS, the Concord Town Board further acknowledges knowing the medical, educational and criminal felony conviction history of a donor will provide recipients with the necessary information to make informed decisions regarding the process of artificial insemination or assisted reproductive technology procedure and for donor conceived persons to obtain essential medical information, which may reveal any genetic or mental health disorders; and,

WHEREAS, the Concord Town Board finds that reproductive tissue banks, including semen banks, oocyte donation programs and embryo banks have a duty to collect and verify medical, educational and criminal felony conviction history information provided by donors on donors self-reported medical, educational and criminal felony conviction histories and during the donor screening processes and to keep detailed records of such for use by recipients and donor-conceived persons, if any, prior to a procedure and in the future,

THEREFORE, BE IT RESOLVED, the Concord Town Board fully supports the passage of NYS Senate Bill S7602, sponsored by Senator Patrick M. Gallivan, and supports further efforts to insure both parents and donor conceived persons have access to verified medical, educational and criminal felony conviction histories for all donors.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Aye
Council Member Snyder	Excused
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

j) Bacon Rezone – Set Public Hearing date – The Bacons rezone application was reviewed by the Planning Board at their February 1st meeting. Motion by Council Member Drake, seconded by Council Member Zittel, to set the Public Hearing date for the Bacon Rezone for Thursday, March 10, 2022 at 6:30 p.m. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried. Town Clerk Schweikert will have the notice published in the Springville Journal, mailed the neighboring parcel owners and posted on the signboard at the Town Hall and also on the Town’s website.

k) Buckley Special Use Permit – Set Public Hearing date – The Buckley Special Use Permit application was reviewed by the Planning Board at their February 1st meeting. Motion by Council Member Zittel, seconded by Council Member Drake, to set the Public Hearing date for the Buckley Special Use Permit application for Thursday, March 10, 2022 at 6:45 p.m. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried. Town Clerk Schweikert will have the notice published in the Springville Journal, mailed the Erie County Planning & Development and the neighboring parcel owners and posted on the signboard at the Town Hall and also on the Town’s website.

l) Battery Storage Law – Supervisor Drozd advised that the Public Hearing was held on December 9th, 2021 and on the advice of Mr. Reilly, Wendel Companies, there will be one revision to the draft Battery Energy Storage System Law at Section 8: Permitting Requirements for Tier 3 Battery Energy Storage Systems. The section will be amended to add the words in bold text: “Tier 3 Battery Energy Storage Systems are permitted only in the industrial zoned areas of the Town through the issuance of a special use permit and shall be subject to **“the conditions established for the special use permit,”** the Uniform Code and the site plan application requirements set forth in the Tier 2 Section and other applicable sections of these regulations and the Town Code. A copy of the Law is attached to the Minutes. Two Resolutions are required.

1) Council Member Drake moved the adoption of Resolution 4, seconded by Council Member Zittel:

WHEREAS, the Concord Town Code contains and specifies the local laws and ordinances of the Town of Concord; and

WHEREAS, the Town of Concord has observed that the Town of Concord Code does not address the regulations for siting of Battery Energy Storage in the Town; and Battery Energy Storage Law and that draft law was reviewed by the Town Board; and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conversation Law, the Concord Town Board has conducted a coordinated environmental review of these Code revisions and has established itself as SEQR Lead Agency and has received no objections to acting as Lead Agency; and

WHEREAS, a public hearing was held regarding these Code amendments and comments were received from the Public, the Town Planning Board, Town Attorney and the Erie County Planning referral was completed; and

WHEREAS, pursuant to Municipal Home Rule, the Town Board is proposing to adopt this Battery Energy Storage Law as part of the Code of the Town of Concord.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Concord Town Board, in accordance with the State Environmental Quality Review ACT (SEQRA) has determined that the proposed amendments to the Town Code (see attached copies) of the Town of Concord Code of Ordinances, will not adversely affect the natural resources of the State and/or the health, safety, and welfare of the public and is consistent with the social and economic considerations and, therefore, issues a SEQRA Negative Declaration in accordance with Section 617.7 of the SEQRA regulations; and

BE IT FURTHER RESOLVED THAT, the Supervisor Drake signed the Full Environmental Assessment Form (FEAF Part 1) on December 16, 2021; and

BE IT FURTHER RESOLVED THAT, the Supervisor is authorized to sign the Full Environmental Assessment Form (FEAF Parts 2 & 3), which will act as the Negative Declaration, and that the required notifications be completed.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Aye
Council Member Snyder	Excused
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

2) Council Member Drake moved the adoption of Resolution 5, seconded by Council Member Zittel with the minor revision at Section 8 as noted above:

Local Law No. 3 of the Year 2021
Town of Concord, County of Erie

A local law amending the Town of Concord Zoning Ordinance providing for the regulation of Battery Energy Storage Systems within the Town of Concord.

WHEREAS, the Town Board of the Town of Concord, based on proposed large-scale projects in the Town and changing NYS regulations, has worked diligently in preparing a Battery Energy Storage Law; and

WHEREAS, the Town Board has prepared a Battery Energy Storage Law, identified as Town of Concord Local Law No. 3 of 2021, amending the Town of Concord Zoning Ordinance, and

WHEREAS, a public hearing was duly held on December 9, 2021, receiving the comments of the public and all other interested parties; and

WHEREAS, the prepared Local Law No. 3 of 2021 was duly referred to Erie County in accordance with New York State GML Section 239-m with the prepared Local Law No. 3 of 2021 being duly approved; and

WHEREAS, the Town of Concord Town Board, acting as SEQR Lead Agency, has issued a SEQR Negative Declaration; and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board proposes the adoption of Local Law No. 3 of 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Concord Town Board hereby adopts Local Law No. 3 of 2021, amending the Town of Concord Zoning Ordinance, as presented therein, and providing for the regulation of Battery Energy Storage within the Town of Concord.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Aye
Council Member Snyder	Excused
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

Supervisor Drozd asked for a motion to add (m) Resignation of Lori Davie from the Board of Assessment Review, (n) Appointment of Jenna Muise to the Board of Assessment Review, (o) Town Historian, (p) Craneridge and Kissing Bridge Disinfection Plan, and (q) Sign application for the Morton Road culvert. Motion by Council Member Krzemien, seconded by Council Member Zittel, to add (m) to (q) to the Agenda. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

m) Resignation of Lori Davie from the Board of Assessment Review – Motion by Council Member Zittel, seconded by Council Member Krzemien, to accept the resignation of Lori Davie from the Board of Assessment Review with regrets. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

n) Appointment of Jenna Muise to the Board of Assessment Review - Motion by Council Member Krzemien, seconded by Council Member Drake, to appoint Jenna Muise to the Board of Assessment Review for the five-year term ending September 2026. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

o) Town Historian – Supervisor Drozd advised that due to the death of David Batterson, he spoke with Thomas & Jolene Hawkins and they would both like to do this. Supervisor Drozd asked for a motion to appoint Thomas Hawkins as the Town Historian and Jolene Hawkins as the Deputy Town Historian at a cost of \$0. Mr. Hawkins would receive the salary. Supervisor Drozd noted that they have been at the Historical Society numerous hours and Mr. Hawkins recently retired; they both want to do this and they know the history of the Town of Concord. Motion by Council Member Zittel, seconded by Council Member Krzemien, to appoint Thomas Hawkins as Town Historian at the budgeted salary and Jolene Hawkins as Deputy Town Historian at a cost of \$0. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried. Mr. Hawkins thanked the Board for their consideration; they will never be able to fill the shoes of past Town Historian David Batterson but they promise to do their best. If anyone ever has any questions, please call or visit at the Lucy Bensley Center. The hours are Wednesday from 9 a.m. to 2 p.m. Supervisor Drozd thanked Mr. and Mrs. Hawkins for stepping up to this position.

p) Craneridge and Kissing Bridge Disinfection Plan – Supervisor Drozd and Council Member Drake met with Ben Slotman, Village of Ellicottville, who runs the plants for the Town and Caleb Henning at MDA. Council Member Drake advised that the DEC has been on the Town for the last few years. First the DEC said that the Town needed to have the sewage chlorinated at both Craneridge and Kissing Bridge so the Town put in a chlorinator. Then the DEC said that before the water goes into the creek, it needed a de-chlorination system so the Town put that in. Now the DEC is saying that that is not good enough because what's happening with the de-chlorination system that is in there, it is causing PH levels and other levels to go through the roof. The levels are generally ok when there are normal flows going through but when Kissing Bridge is not in their ski season the flows are extremely low and causes the system to be in violation of

what the standard test should be. The plan is to go to a flow hastened chlorination system. MDA Consulting Engineers have advised that the ballpark figure between the two plants is \$25,000 to get this done including the engineering fees of approximately \$5,000. Unfortunately, when the DEC involved, there are not a lot of options. It needs to get done or the Town could be fined of \$10,000/day. The DEC deadline is May 15th. This project needs to get approved so that MDA Consulting Engineers can do the engineering on it and as soon as the weather breaks, this project can be accomplished. Motion by Council Member Zittel, seconded by Council Member Krzemien, to authorize Supervisor Drozd to contact MDA Consulting Engineers to get the flow hastened chlorination system project started at a cost up to \$25,000. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried.

q) Sign application for Morton Road culvert – Supervisor Drozd just received this before the meeting. MDA Consulting Engineers found out that another permit is required from the DEC; a stream disturbance permit. This permit needs to get signed tonight to allow for the project to move forward. MDA will meet with Hwy Supt Edwards and Supervisor Drozd to review the permit application. Supervisor Drozd asked the Board for a motion that Hwy Supt Edwards and Supervisor Drozd can sign this joint application for the Morton Road culvert, going on the recommendation of MDA and after the meeting with MDA. If there are any other questions, Supervisor Drozd will bring it back to the Board. Motion by Council Member Zittel, seconded by Council Member Krzemien, to authorize Supervisor Drozd and Hwy Supt Edwards to sign the joint application for the Morton Road culvert. Council Members Drake, Zittel & Krzemien; Supervisor Drozd, voting aye; Council Member Snyder, excused. Carried. Council Member Drake asked if the goal is still to replace the culvert; and yes, that is the goal. The project cannot go any further until this permit is filed. So far, the temporary repairs are holding up.

ITEM #6 EXECUTIVE SESSION

There was no Executive Session.

ITEM #7 CONSENT AGENDA

There was nothing for Consent Agenda.

ITEM #8 COUNCIL MEMBER NOTES

- 1) Council Member Zittel informed the Board of the following events:
 - February 12th The First United Methodist Church and the Springville Jazz Orchestra will be having a Valentine's Swing Dance from 7 p.m. to 9 p.m.
 - February 17th Salem Lutheran Church will be having the Spaghetti Dinner. It is free; take outs only.
 - February 27th St. Al's Church will be having a Chicken BBQ from 11:30 a.m. to 2 p.m.

- 2) Supervisor Drozd advised that the Hulbert Library had some retirements; these are County employees. Librarian Morris wanted it noted in the Town's Minutes that she has hired Laura Clark, part-time Clerk Typist and Claire Wrazen, part-time Page.

- 3) Supervisor Drozd and Senior Director Eschborn reviewed the telephone lines at the Senior Center which were put in when the Center was built. They agreed to cancel the phone number (716) 592-2741 which was used by other groups at the Center because they felt it was not needed. This will be a savings per month and take the phone bill to about \$187.96 instead of \$227.95. Senior Director Eschborn will try this to see how it works with two lines and if she feels she can go to one line with an answering machine, she will let the Board know.

4) Supervisor Drozd noted that when the Town took over the East Concord Cemetery, the Town never received any books. Some books showed up mysteriously at the Lucy Bensley Center and the building caretaker found them at the door. We don't know where they came from but the Town now has some records. Jolene Hawkins has scanned the book because it is in bad shape and is now transferring the records into a searchable document. Council Member Krzemien is on the Cemetery Board for the Fairview Cemetery and will provide Mrs. Hawkins her contact information.

5) Supervisor Drozd advised that he updated the Town buildings' Narcan supply; these were free from Erie County. He also replaced the defibrator pads and batteries at the Town buildings.

6) Supervisor Drozd advised that Jim Thoman will be retiring on March 15th; he has worked for the Town for a very long time. Supervisor Drozd attended a meeting with the Village of Ellicottville Public Works and Mayor and met the people who will be running the plants in Concord. Both are licensed and are working with Mr. Thoman daily to get all the information they can from Mr. Thoman before he retires.

7) Supervisor Drozd noted that he will work on purchasing the Fellowes air cleaners for Town Hall, upstairs and downstairs. The quote from Grainger for everything including replacement filters is \$856.96. This amount will be taken out of the CARES Act funds. The one for the downstairs of Town Hall can be used by the Town Clerk and also the Court on Court night to keep the air clean. The process will take about 30-40 minutes.

ITEM #9 MOTION TO ADJOURN

Motion by Council Member Zittel, seconded by Council Member Krzemien, and passed unanimously, to adjourn the meeting at 7:41 p.m. in memory of:

Diane M. Lux
Shirley Ann Stutzman
Sandra M Skeffington
Darlene R. Knapp
James V. Cafferty
Margaret E. Little
James Anderson
Joseph F. Boyd
David C. Batterson
James J. Nabozny



Darlene G. Schweikert
Town Clerk