TOWN OF CONCORD TOWN BOARD MEETING October 8, 2026
6:00 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,
at 6:00 p.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: LAURA SAFFORD, Town Clerk
LARRY HEIM, Hwy Supt
BRIAN F. ATTEA, Town Atty

INVOCATION DELIVERED BY TOWN CLERK SAFFORD

PLEDGE TO THE FLAG LED BY SUPERVISOR DROZD

ITEM #1 COMMUNITY ENGAGEMENT TEAM

Deputy Malican gave the monthly report since Deputy Miller is out on medical leave. In the month of September, the Sheriff's office handled 130 calls for service, conducted 48 traffic stops, conducted 134 premises checks, there were 8 community focused engagements, and they had 9 arrests.

ITEM #2 CONSENT AGENDA

a) Approval of Minutes:
(1) Work Session – 9/10/26
(2) Town Board Mtg – 9/10/26
(3) Public Hearing – Tax Cap Override – 9/10/26

Motion by Council Member Drake, seconded by Council Member Zittel, to approve Consent Agenda, Items 1-3. All members voting aye. Carried.

b) Monthly Reports:
(1) Code Enforcement Report – September 2026
(2) Dog Control Officer Report – September 2026
(3) Town Clerk Report – September 2026
(4) Judge Frank – August and September 2026
(5) Judge Gibbin – August and September 2026
(6) Assessor's Report – September 2026
(7) Senior Director Report – September 2026
(8) Supervisor's Report – September 2026
(9) Historian's Quarterly Report- 3rd quarter

Motion by Council Member Zittel, seconded by Council Member Krzemien, to approve Consent Agenda, Items 1-7, and 9. Members will receive September Supervisor's report from Kaufman Utz at a later time. All members voting aye. Carried.

ITEM #3 RESIDENT CONCERNS

Supervisor Drozd opened the floor for Resident Concerns, and there were none.

ITEM #4 HIGHWAY DEPARTMENT

a) Hwy Supt Heim asked the Board to receive and file his Highway Report.

Supt. Heim read a letter that was sent to the towns from the Highway Association. The Town of Marilla is going to be sending a similar notice out. It speaks about the high cost and availability of road salt, and states that alternative methods may be used to take care of roads this winter. Supt. Heim thinks that when he put the winter ad in the paper he should include something similar to the letter he read. The Board agrees. He also spoke about changes that were made in plowing the snow in Crane Ridge last year, since the trees block the sun from melting the snow on the roads. Those changes seemed to be helpful. He is going to put together a letter to send to the residents explaining how his department intends to do winter maintenance in Crane Ridge this year.

Motion by Council Member Krzemien, seconded by Council Member Zittel to receive and file the Highway Department Report. All members voting aye. Carried.

ITEM #5 OLD BUSINESS

KB update-Nothing has been heard in regards to the letter that was sent to the attorney for the DEC about the waste water treatment plant.

Supervisor Drozd received an email from Caleb Henning today about the water line project. JMM Construction has completed restoration of the site and the punch list of items that were identified at the walk through. Mr. Henning also thinks that the issues that Kissing Bridge brought up on the private road have been addressed.

ITEM #6 NEW BUSINESS

a) Audit of the Bills – Council Member Zittel audited the Bills this month.

Year 2026 Abstract 10:
General Fund (A), $40,043.27
General Fund (B), $18,422.27
Concord Senior Van, $440.13
Joint Youth, $58,738.16
Craneridge Sewer Project, $4,399.00
Craneridge Sewer District, $2,524.31
Highway Outside Village (DB), $74,687.14
KB Water District (new budget line), $151,430.80
Kissing Bridge Sewer, $131.49
Kissing Bridge Water District, $24,679.08

Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the bills as presented. All members voting aye. Carried.

b) Community Development Block Grant Resolution – The Public Hearing was held earlier this evening.

Council Member Drake moved the adoption of Resolution 12, seconded by Council Member Zittel:

WHEREAS, Town Clerk Safford had published the Notice of Public Hearing in the Springville Journal on September 24, 2026. Said Notice of Public Hearing was also posted on the Town of Concord Website and on the signboard at the Town Hall on September 24, 2026.

WHEREAS, that the Town Board of the Town of Concord held a public hearing on Thursday, October 8, 2026;

NOW, THEREFORE BE IT,

RESOLVED, that at a meeting of the Town Board of the Town of Concord, held on Thursday, October 8, 2026, the Town Board authorized Philip Drozd, Supervisor, to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project upon approval of the ECCDBG:

1. Concord Community Park Bathroom Restoration
2. Rural Transit Service Van Program.

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.

c) Set Public Hearing to move Preliminary Budget to Adopted Budget

Motion by Council Member Zittel, seconded by Council Member Krzemien, to set the public hearing for November 12, 2026 at 5:15 p.m. All members voting aye. Carried.

d) Approve purchase of 2027 Dodge Ram for Highway garage-Supt. Heim went to Rock City and got prices on a gas and a diesel truck. A diesel truck would be $68,714 and the gas would be $57,148. There would be $9,700 in government discounts. The trade in value of the current truck with the plow is $31,000. It would take two to three months to come in. Supt. Heim and Supervisor Drozd discussed putting the current truck up for bid instead of trading it in.

Motion by Supervisor Drozd, seconded by Council Member Zittel, to approve the purchase of a new truck-Supt. Heim will decide if the purchase will be for a gas or a diesel truck. All members voting aye. Carried.

e) Approve purchase of BOSS V plow for Highway-Supt. Heim got Sourcewell pricing from two places. The better plow is $10,710 from both places, which includes the plow frame, mounting and wire harness. Supt. Heim would like to pick up the plow before the new truck arrives, so that the price doesn't increase.

Motion by Council Member Krzemien, seconded by Council Member Zittel, to approve the purchase. All members voting aye. Carried.

f) Approve Payment Application #1-KB Watermain Extension-the first payment draw will be $151,430.80

Motion by Supervisor Drozd, seconded by Council Member Zittel to authorize Supervisor Drozd to sign payment application. All members voting aye. Carried.

g) Order to Repair Resolution 13062 Belscher Rd. Spalti property-CEO Roberts explained to the Board that he has received complaints in regards to this property. The property was on the in rem auction list for Erie County, but it did not sell, and no relatives have stepped forward to claim the property, which is collapsing.

RESOLUTION NO. 13 OF 2026

RESOLUTION OF THE ORDER TO REPAIR 13062 BELSCHER ROAD

At a meeting of the Town Board of the Town of Concord, held on the 8th day of October, 2026, at Springville, New York,

WHEREAS, the Town Board has determined that 13062 Belscher road is Ordered to Repair. NOW, THEREFORE, BE IT RESOLVED:

The Town Board hereby declares CEO Roberts' report was submitted on the 8rd day of October, as defined in Town Code §59-4.

The Town Board hereby acknowledges receipt of CEO Roberts' report that such structure is dangerous and unsafe to the public, as defined in Town Code §59-5.

The Town Board hereby, shall further order that a hearing be held before the Town Board at a time and place therein specified and on at least five days' notice to the owner of the building or structure, or persons having an interest therein, to determine if repairs are required, can be safely repaired and if not, its removal and demolition and replacement, as defined in Town Code §59-5.

The Town Board hereby orders that a hearing be held before the Town Board on the 12th day of November at 5:30pm at 86 Franklin, Springville NY, 14141.

The Town Clerk is directed to maintain this Resolution in the official records of the Town and to provide certified copies as may be required.

This Resolution shall take effect immediately upon its adoption.

Motion by Council Member Krzemien, seconded by Council Member Zittel to accept CEO Roberts' report, and to set the date for the public hearing. All members voting aye. Carried.

h) Resolution to Support Village of Springville taking ownership of Waverly St. from Erie County

RESOLUTION NO. 14 DATE: October 8, 2026

I hereby certify that at a meeting of the Town Board of the Town of Concord held at the Town Hall in the Town of Concord on the 8th day of October, 2026 a Resolution was adopted of which the following is a true copy.

Council Member Kassel moved the adoption of Resolution 14, seconded by Council Member Zittel:

WHEREAS, the Town Board of the Town of Concord will submit the attached letter to the Commissioner and Deputy Commissioner of Public Works,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board supports the Village of Springville taking ownership of Waverly Street, CR 121

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.

i) Resolution to Oppose the Creation of a County Planning Board or Commission

RESOLUTION NO. 15 OCTOBER 8, 2026

WHEREAS, Erie County Legislator Jeanne Vinal, representing portions of the Towns of Amherst and Cheektowaga, has recently contacted local officials regarding a renewed effort to reinstate the Erie County Planning Board; and

WHEREAS, proposals of this nature have been opposed and rejected numerous times over the past two decades; and

WHEREAS, based on the version of the draft local law shared and referenced by Legislator Vinal's communication, this Planning Board would derive its mission and purpose from a regional growth plan adopted by Erie County in 2007; and

WHEREAS, under this version of the law, only two of the nine voting members of this board would reside outside of the Cities of Buffalo, Lackawanna, and Tonawanda or the Towns of Amherst, Cheektowaga, and West Seneca, leaving a large representation gap for communities that make up the majority of the land area of Erie County and making no distinction between suburban and rural communities outside of first-ring suburbs; and

WHEREAS, according to New York State Law, this board could have authority to review and reject certain local project proposals, or set conditions for the approval thereof, as well as act as lead agency under the State Environmental Quality Review Act, stripping away local control of the environment impact review process; and

WHEREAS, creation of such a board would add an additional and unnecessary layer of bureaucracy to the already daunting task of fostering constructive economic development within our region; and

WHEREAS, the oversight and control conferred upon such a board would reduce the voice of local governments and the residents who would make decisions regarding land use within their own communities; and

WHEREAS, local municipalities and the residents who elect their government officials deserve to retain autonomy and authority to determine their own development and zoning plans that best suit their communities; and

WHEREAS, the State of New York has already been encroaching upon local control by proposing and enacting legislation that allows them to override local zoning regulations for various types of projects; and

WHEREAS, the Town of Concord desires to maintain the identity of our community and retain control over its vision for growth through local representation; and

WHEREAS, the Concord Town Board does not believe the establishment of an Erie County Planning Board would be in the best interests of the residents of Concord or similarly situated municipalities across Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Concord believes it is crucial that local municipalities retain the right to determine their own planning actions; and be it further

RESOLVED, that the Town Board of Concord hereby opposes the creation of an Erie County Planning Board; and be it further

RESOLVED, the certified copies of this resolution shall be sent to the Erie County Executive Mark Poloncarz, and chairman of the Erie County Legislature.

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.

j) Adopt 2027 Tentative Budget as Preliminary-After the Town Clerk's salary was posted as $63,000 in the Journal for the public hearing notice, the Board agreed to change it to $64,050. Instead of having to make that change to the budget with a local law, the additional $1,050 will be added to the registrar of vital statistics line, but going forward for the 2028 budget any negotiations on the salary will be based off of $64,050. At this point in the budget process, we are $4000 under the tax cap. The Board agreed to have another budget workshop October 15, 2026 at 8 a.m. Council Member Drake has concerns about the $30,000 deficit in Kissing Bridge water, and would like to resolve that.

Motion by Council Member Drake, seconded by Council Member Zittel to approve moving the tentative budget to preliminary. All members voting aye. Carried.

k) Waive Special Use Permit fee for AMVETS Boston Post 219 sign

Motion by Council Member Drake, seconded by Council Member Kassel, to waive the fee. All members voting aye. Carried.

l) Twelve Springs Church Request to continue using Town Hall-

Motion by Council Member Zittel, seconded by Council Member Krzemien, to allow the church to continue using the hall for another six months. All members voting aye. Carried.

Council Member Drake made a motion to add m) to the agenda, allow Supervisor Drozd to sign the bond anticipation. Council Member Kassel seconded. All members voting aye. Carried.

m) Allow Supervisor Drozd to sign the bond anticipation extension to refinance the $240,000 for the Kissing Bridge water line in November

Motion made by Council Member Drake, seconded by Council Member Krzemien, to allow Supervisor Drozd to sign. All members voting aye. Carried.

ITEM #7 COUNCIL MEMBER NOTES

Council Member Krzemien let the other Board Members know that the Southtowns Bark Park was having their sportsman and meat raffle on October 17th at the Springville Fire Hall. October 22nd will be the Fairview Cemetery annual lot owners meeting at the East Concord Fire Hall at 6p.m.

Council Member Zittel said that the Chiefs Council will be October 20th, and Southtowns Planning Development has a meeting on October 26th at the Colden Inn, and DiPietro's dinner will be October 28th at 5:30 at Kloc's.

Supervisor Drozd discussed the traffic signal on Main Street by the Springville Fire Hall. The signal is almost ready to go online, and should be done by the end of the year. It will be all wireless. NYS put in another arm and a stop sign in the parking lot. Sharp Street reopened, but Supervisor Drozd said that it appears that the county did not notify the appropriate people when the road reopened. It is not the Town's responsibility to let others know when a county road reopens. Belscher Road is currently scheduled to reopen by the 31st of October.

Council Member Drake informed the Board that the Planning Board was questioning the Special Use Permit for the Zoar Valley Motorcross. The permit specifically states that there will not be any races, but they advertised a race this year. The Board would like CEO Roberts to send a letter to the person in charge reminding them of the stipulations of the permit. After the 1st of January the Board would also like CEO Roberts to send a letter to the person who runs the Hogaroosa event asking for insurance information.

ITEM #8 EXECUTIVE SESSION

Motion by Council Member Drake, seconded by Council Member Krzemien, to go into executive session to discuss an employee matter at 7:36 p.m.

Motion by Council Member Kassel, seconded by Council Member Zittel to come out of the executive session at 7:46 p.m.

ITEM #9 MOTION TO ADJOURN

Motion by Council Member Kassel, seconded by Council Member Krzemien, and passed unanimously, to adjourn the meeting at 7:48 p.m. in memory of:

Ronald D. Kaczmarek
Richard Emerling
Thomas R. Sullivan
Kenneth J. Papke
Walter Skura
Marion Labinicki
John Andrews
Gary Spalti
Gregor H. Wilke
Raymond T. Drozd
Gary Millian

_____
Laura Safford
Town Clerk