

REGULAR MEETING OF THE TOWN OF DARIEN

OCTOBER 5, 2016

MINUTES OF THE DARIEN TOWN BOARD: Supervisor David Hagelberger, Council Members Stephen Ferry, Michael Fix, Barbara Krazmien, Michael Plitt and Town Clerk Alice Calmes.

A regular meeting of the Darien Town Board, County of Genesee and State of New York was held at the Town Hall, 10569 Allegany Road, Darien Center, NY on October 5, 2016

PRESENT:	David Hagelberger	Supervisor
	Stephen Ferry	Councilman
	Michael Fix	Councilman
	Barbara Krazmien	Councilwoman
	Michael Plitt	Councilman
	Alice Calmes	Town Clerk

ABSENT:

OTHERS PRESENT: Sue Galbraith-Alden Advertiser; Neil Marzolf – Highway Superintendent; Jerry Yoder – Zoning Enforcement Officer and members of the public.

At 7:30 PM the Supervisor called the meeting to order and recited the Pledge to the Flag.

RESOLUTION #114

MEETING MINUTES

Councilman Ferry offered a resolution to accept the meeting minutes from the September 7, 2016 Meeting as read; second by Councilwoman Krazmien.

AYES 5	Ferry, Krazmien, Plitt, Fix, and Hagelberger	NAYS 0
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RESOLUTION #115

SET PUBLIC HEARING

Supervisor Hagelberger offered a resolution to hold a Public Hearing to hear comments from the public on a Local Law to override the tax levy limit established in General Municipal Law §3-c on November 2, 2016 at the Town Hall at 7:40PM; second by Councilman Ferry.

AYES 5	Hagelberger, Ferry, Krazmien, Fix and Plitt	NAYS 0
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RESOLUTION # 116

SET PUBLIC HEARING

Supervisor Hagelberger offered a resolution to hold a Public Hearing to hear comments from the public on the 2017 Fire Protection Contract renewal with the Darien Chemical Volunteer Fire Company at the Town Hall at 7:50PM; second by Councilman Plitt.

AYES 5	Hagelberger, Plitt, Fix, Krazmien and Ferry	NAYS 0
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RESOLUTION #117

SET PUBLIC HEARING

Supervisor Hagelberger offered a resolution to hold a Public Hearing to hear comments from the public on the Town’s 2017 Preliminary Budget on November 2, 2016 at the Town Hall at 8PM; second by Councilwoman Krazmien.

AYES 5	Hagelberger, Krazmien, Ferry, Fix and Plitt	NAYS 0
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RESOLUTION #118

HALLOWEEN

Supervisor Hagelberger offered a resolution that Halloween will officially be celebrated this year in the Town of Darien on Monday, October 31st between the hours of 5pm to 8pm; second by Councilman Fix.

AYES 5	Hagelberger, Plitt, Ferry, Krazmien, and Fix	NAYS 0
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RESOLUTION #119

TAX COLLECTOR BOND

Supervisor Hagelberger offered a resolution to acquire a \$900,000 bond to cover the maximum amount of Real Property Tax Receipts held by the Town prior to payment to the taxing agency; second by Councilman Ferry.

AYES 5 Hagelberger, Ferry, Krazmien, Fix and Plitt NAYS 0

RESOLUTION #120

HIGHWAY COLLECTIVE BARGAINING

Supervisor Hagelberger offered a resolution to approve a negotiated renewal of the collective bargaining Contract Agreement between the Town of Darien and the Town of Darien Highway Department for a period of 2017-2019; second by Councilwoman Krazmien.

AYES 5 Hagelberger, Krazmien, Ferry, Plitt and Fix NAYS 0

RESOLUTION #121

DEC CITATION

Supervisor Hagelberger offered a resolution to authorize the Highway Superintendent to engage a contractor(s) to make NYS DEC required repairs or replacements on the Town’s Highway Department fuel tanks within the specified time lime (currently 30 days) at a cost not to exceed \$18,000; second by Councilman Ferry.

AYES 5 Hagelberger, Ferry, Krazmien, Fix and Plitt NAYS 0

RESOLUTION #122

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096 (6-A) OF NEW YORK’S PUBLIC AUTHORITIES LAW

WHEREAS, the Monroe County Water Authority (“Authority”) is responsible for the existing water main that provides water service to 10221 Alleghany Road located, in the Town of Darien; and

WHEREAS, the acquisition of one (one) easement is necessary for the operation, maintenance and future replacement of the water main; and

WHEREAS, the easement, is located along the frontage of 10221 Alleghany Road (Tax Acct. No. 7.-1-42.111), which is owned by William F. Sweet, Sr. and Gloria D. Sweet, and is approximately 468 x 15 along the Alleghany Road frontage, and

WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and

WHEREAS, §1096(6-a) of New York’s Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board.

NOW, THEREFORE, let it be

RESOLVED, that the Town hereby approves of the Water Authority’s voluntary acquisition of easements over 10221 Alleghany Road in accordance with §1096(6-a) of the New York Public Authorities Law and be it further

RESOLVED that a copy of this resolution be provided to the Monroe County Water Authority.

The above resolution was brought forth by Supervisor Hagelberger and duly seconded by Councilman Ferry.

AYES 5 Hagelberger, Ferry, Krazmien, Fix and Plitt NAYS 0

Supervisor Hagelberger offered a resolution to authorize signatures on a form for the bank; after reading the entire resolution from the bank. Some discussion was held on the resolution and Supervisor Hagelberger pulled the resolution in order to have the attorney review it and it would be brought up at a later date.

Notifications

The Intercommunity Medical Building has been sold and all outstanding debts have been paid. The Board of Directors is in the process of dissolving the corporation and making the distribution of funds to the affiliated towns. The Towns of Attica, Bennington, Alexander, Darien, Sheldon, Orangeville, Bethany and Middlebury will share in the closeout fund distribution. The estimated Darien share is \$46,000.00.

Election Day is Tuesday, November 8th. Polls will be open from 6:00AM to 9:00PM at the Town Hall. Electing Government Officials is your responsibility; please exercise your right to vote.

There will be Voter Registration held here at the Town Hall on Saturday, October 8th from 12PM – 4PM and again on Saturday, October 15th from 2PM – 9PM.

The Town of Darien Water District No. 6 application to USDA Rural Development for grant and loan funding has been accepted. The application is now in the funding process. This project was not funded in the September funding cycle. Next funding cycle is expected in the first quarter 2017. Over two hundred postcards have been received at the town hall from property owners to date with their position on this water district and another hundred have arrived in the post office box to be picked up. These postcards are not a vote but provide guidance to the Town Board of the desires of the property owners. A count of “for” or “against” of postcards received by the end of October will be announced at our November meeting. If you have not returned your postcard, please do so. If you any reason you did not receive a postcard or cannot locate it, see the Town Clerk for another postcard.

Thank you to the Darien Fire Hall for allowing us to use their facilities to hold the public information meetings.

HIGHWAY – did work on County Line Road, replaced 6 culvert pipes and found 2 more that would like to be worked on before winter. Mowing is about half done with the fall pass. Sealed Smithley and Griswold Roads. Have been doing a lot of work with other Towns. O’Conner Road bridge is being worked on by the County. A mowing tractor is in the shop getting tranny work done and all the trucks have been in for their inspections. The salt is being hauled in. The loader auction will be done in 2 weeks; required a deposit from any bidder and placed terms like we used in our bid openings. The auction site usually gets the money in a week. The generator had to have some work done and a part is coming. Have received a letter from the Sheriff’s Office pertaining to the intersection at County Line/Sumner/North which was from complaints. The County over cedes the Town as far as signage and that corner is handled by Erie County.

ZEO – updated the complaint report

ATTORNEY – working with the ZEO on zoning issues and met with Steve Mountain, Dave Hagelberger and Alice Calmes on September 30th to review the proposed Water District #6

ENGINEER – Steve Mountain has been busy with the proposed water district

TOWN CLERK – offices will be closed on Monday, October 10th for Columbus Day

TREATMENT PLANT – everything is good; DEC helped with the snail problem and that seems to be getting better

RESOLUTION #123**CASH REPORT**

Councilman Ferry offered a resolution to accept the Supervisor’s Cash Report dated September 30, 2016; second by Councilman Plitt.

AYES 5 Ferry, Plitt, Fix, Krazmien and Hagelberger

NAYS 0

RESOLUTION #124**ABSTRACT**

Councilman Ferry offered a resolution to pay General Fund 292 – 323 & 192H– 194H for \$22,810.63; Highway 183H– 189H for \$161,650.43; and Sewer District #1 35 – 36 & 190H – 191H for \$2,756.55; second by Councilwoman Krazmien.

AYES 5 Ferry, Krazmien, Plitt, Fix, and Hagelberger

NAYS 0

Comments from the Public

Mr. Kevin Glomb asked some questions regarding the proposed Water District #6

RESOLUTION #125

ADJOURN

At 8:38PM, Councilman Plitt offered a resolution to adjourn; second by Councilwoman Krazmien.

AYES 5 Plitt, Krazmien, Ferry, Fix and Hagelberger

NAYS 0

Alice E. Calmes, Town Clerk