

REGULAR MEETING OF THE TOWN OF DARIEN

MAY 3, 2017

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 May 3, 2017

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| 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; Elmer Heiman – Historian; David DiMatteo – Town Attorney and members of the public.

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

RESOLUTION #60

MEETING MINUTES

Councilwoman Krazmien offered a resolution to accept the meeting minutes from the April 5, 2017 meeting as read; second by Councilman Fix.

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

RESOLUTION #61

ROOF REPLACEMENT

Supervisor Hagelberger offered a resolution to accept the quote of \$39,675.00 from Chittenden & Dylag, LLC as the lowest quote of three bidders for the replacement of the wind damaged roof on the town hall with a 50-year rated shingle and paying prevailing wages; second by Councilwoman Krazmien.

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

RESOLUTION #62

SHARED SERVICES SEMINAR

Supervisor Hagelberger offered a resolution to authorize town officials’ attendance at the Association of Towns’ seminars on the “Countywide Shared Services” legislation in Batavia, NY, Monday, May 8th at reasonable town expense in accordance with the town’s employee handbook; second by Councilman Plitt.

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

RESOLUTION #63

PROFESSIONAL SERVICES

Supervisor Hagelberger offered a resolution to authorize the Supervisor to enter into a professional service contract for engineering and environmental support services with GHD of Buffalo, NY if the town receives a completed zoning permit application for a wind farm(s) in Darien; second by Councilman Ferry.

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

RESOLUTION #64

RETIREMENT RESOLUTION

Supervisor Hagelberger offered the following resolution, which was duly seconded by Councilwoman Krazmien.

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

TOWN BOARD MEETING

MAY 3, 2017

BE IT RESOLVED, that the Town of Darien/Location Code 30266 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their records of activities:

Appointed Officials

Building Inspector, Joseph Kowalik, 6 SWD, 5.95 days per month worked based on record of activities

ZEO, Jerome Yoder, 6 SWD, 12.92 days per month worked based on record of activities

Notifications

Independent auditors from FreedMaxick have completed their field audit of the Town’s 2016 Year End Financial Records. Their audit report is planned to be released at the July Town Board meeting.

Next Genesee Association of Municipalities (GAM) meeting hosted by the Town of Darien is scheduled for May 18th at 7pm at the Town Hall.

Town Offices will be closed Memorial Day, May 29th

Proposed Water District No. 6 residents will hold a supporting petition signing event at the Darien Town Hall on Wednesday, May 18th 4 – 8PM and Saturday, May 20th 9AM – 12PM. Remember if you are a property owner in this water district and want public water, you need to sign the supporting petitions.

The Sheriff sale of the property on 1081 Broadway to close-out the court ordered payment to the town for cost associated with the zoning violation is scheduled for May 24th at 10AM.

HIGHWAY – everything is in good working order; cleaned up branches and sticks, chased down water issues with all the rain; no major washouts

ZEO – has had a lot of activity

ATTORNEY – has been in court quite a bit for Darien; received the report on Awsome Motors – analyzing in order to take the next step; has had some cases completed and others still in process.

BUILDING INSPECTOR – a lot has been going on

TOWN CLERK – requesting authorization to go to the NYALGRO conference

RESOLUTION #65

NYALGRO CONFERENCE

Supervisor Hagelberger offered a resolution to authorize the Town Clerk attendance at the NYALGRO conference from June 4 – June 6 in Geneva, NY at reasonable town expense in accordance with the Town’s employee manual; second by Councilman Plitt.

AYES 5 Hagelberger, Plitt, Fix, Krazmien and Ferry

NAYS 0

TAX COLLECTOR – report read

RESOLUTION # 66

TAX COLLECTOR REPORT

Supervisor Hagelberger offered a resolution to accept the Tax Collector’s final report of 2017 as of May 3, 2017; second by Councilman Ferry.

AYES 5 Hagelberger, Ferry, Krazmien, Fix and Plitt

NAYS 0

HISTORIAN – Supervisor Hagelberger wished Elmer Heiman a Happy 89th birthday; is working on Darien Day handout and clipped an article about Marty Phelps

TREATMENT PLANT – everything is running good; numbers are good. Had a backflow test done, had to have one replaced and one rebuilt

Councilman Plitt announced that the Darien Day Committee will be having a meeting on Tuesday, May 16th at 7PM in the Conference Room

RESOLUTION #67

CASH REPORT

Councilman Ferry offered a resolution to accept the Supervisor’s Cash Report as of April 30, 2017; second by Councilman Plitt.

AYES 5 Ferry, Plitt, Fix, Krazmien and Hagelberger

RESOLUTION #68

ABSTRACT

Councilman Ferry offered a resolution to pay General Fund 103 – 138 & 75H – 79H & 84H for \$38,451.88; Highway 6 & 57H – 68H & 80H – 81H for \$20,226.23; and Sewer District #1 14 – 16 & 69H – 74H & 82H – 83H for \$2,702.84; second by Councilwoman Krazmien.

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

Comments from the Public

Mr. Myers has drainage concerns. Supervisor Hagelberger asked Highway Superintendent to look into the issues.

RESOLUTION #69

EXECUTIVE SESSION

At 8:06PM, Supervisor Hagelberger offered a resolution to go into executive session with the Town Attorney to discuss an on-going court case; Councilman Ferry second.

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

RESOLUTION #70

EXECUTIVE SESSION

At 8:30PM, Councilman Ferry offered a resolution to close the executive session; second by Councilman Plitt.

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

RESOLUTION #71

RESCIND RESOLUTION

Supervisor Hagelberger offered a resolution to rescind the resolution entitled “Attorney Direction” from the March 26, 2014 Work Session of the Town of Darien; second by Councilman Ferry.

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

Comments from the Public

The questions was asked what happens if the cost of the water district can’t be held at the advertised cost.

RESOLUTION #72

ADJOURN

At 8:37PM, Councilman Fix offered a resolution to adjourn; second by Councilman Plitt.

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

Alice E. Calmes, Town Clerk