

REGULAR MEETING OF THE TOWN OF DARIEN

JANUARY 3, 2018

MINUTES OF THE DARIEN TOWN BOARD: Supervisor David Hagelberger, Council Members Michael Fix, Barbara Krazmien, David Krzemien, 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 January 3, 2018

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

ABSENT:

OTHERS PRESENT: Sue Galbraith – Alden Advertiser; Neil Marzolf – Highway Superintendent; and members of the public.

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

RESOLUTION #1

MINUTES

Councilman Plitt offered a resolution to accept the December 6, 2017 meeting minutes as read; second by Councilwoman Krazmien.

AYES 5	Plitt, Krazmien, Fix, Krzemien and Hagelberger	NAYS 0
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RESOLUTION #2

MINUTES

Councilwoman Krazmien offered a resolution to accept the December 29, 2017 meeting minutes as read; second by Councilman Fix.

AYES 5	Krazmien, Fix, Plitt, Krzemien and Hagelberger	NAYS 0
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Holiday schedule, Meeting schedule and Board Appointments & fees were read. See attached list.

RESOLUTION #3

BOARD APPOINTMENTS

Councilman Fix offered a resolution to approve the appointments as read; second by Councilwoman Krazmien.

AYES 5	Fix, Krazmien, Krzemien, Plitt and Hagelberger	NAYS 0
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Supervisor Hagelberger announced that Steve Ferry Jr would continue as Deputy Supervisor for a period of time at \$527.00 per year; prorated to when a new Deputy is appointed and named Elmer Heiman as Historian at a \$475/year stipend and Bethany Hoover as the Confidential Secretary to the Supervisor at \$16.13/hour.

Highway Superintendent Marzolf named Brian Bontrager as the Deputy Highway Superintendent at \$524.00/year.

Town Clerk Alice Calmes named Teresa Burkhardt and Brooke Finkney as Deputy Town Clerks at an hourly rate of \$11.10.

RESOLUTION #4

INDEPENDENT AUDIT

Supervisor Hagelberger offered a resolution to authorize the Supervisor to contract with an independent agency to audit 2017 year-end financials in accordance with the budget; second by Councilwoman Krazmien.

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AYES 5 Hagelberger, Krazmien, Fix, Plitt and Krzemien

NAYS 0

RESOLUTION #5

ASSOCIATION OF TOWNS

Supervisor Hagelberger offered a resolution to continue the town’s membership in the NYS Association of Towns for 2018; second by Councilman Plitt.

AYES 5 Hagelberger, Plitt, Krzemien, Krazmien and Fix

NAYS 0

RESOLUTION #6

UTILITY BILLS

Supervisor Hagelberger offered a resolution to authorize the Supervisor to pay utility bills prior to abstract approval to avoid late payment charges; second by Councilman Fix.

AYES 5 Hagelberger, Fix, Krazmien, Krzemien and Plitt

NAYS 0

RESOLUTION #7

GARBAGE BILLS

Supervisor Hagelberger offered a resolution to authorize the Supervisor to pay garbage disposal bills prior to abstract approval to avoid late payment charges; second by Councilwoman Krazmien.

AYES 5 Hagelberger, Krazmien, Fix, Plitt and Krzemien

NAYS 0

RESOLUTION #8

INSURANCE & RETIREMENT

Supervisor Hagelberger offered a resolution to authorize the Supervisor to pay authorized medical insurance premiums and New York State Retirement employee benefit expenses prior to abstract approval; second by Councilwoman Krazmien.

AYES 5 Hagelberger, Krazmien, Fix, Plitt and Krzemien

NAYS 0

RESOLUTION #9

TOWN CLERK FEES

Supervisor Hagelberger offered a resolution to maintain the same set of Town Clerk fees in 2018 as in use at the end of 2017; second by Councilman Fix.

AYES 5 Hagelberger, Fix, Krazmien, Krzemien and Plitt

NAYS 0

RESOLUTION #10

SEWER RENTS & FEES

Supervisor Hagelberger offered a resolution to maintain the same set of Sewer District #1 rents and fees in 2018 as in use at the end of 2017; second by Councilwoman Krazmien.

AYES 5 Hagelberger, Krazmien, Fix, Plitt and Krzemien

NAYS 0

RESOLUTION #11

HIGHWAY PURCHASES

Supervisor Hagelberger offered a resolution to authorize the Highway Superintendent to make purchases at State and County Bid price; second by Councilman Plitt.

AYES 5 Hagelberger, Plitt, Krzemien, Krazmien and Fix

NAYS 0

RESOLUTION #12

HIGHWAY SEMINARS

Supervisor Hagelberger offered a resolution to authorize the Highway Superintendent to attend highway 2018 spring and fall seminars at reasonable town expense in accordance with the town’s employee manual; second by Councilman Fix.

AYES 5 Hagelberger, Fix, Krazmien, Krzemien and Plitt

NAYS 0

RESOLUTION #13

POLLING PLACE

Supervisor Hagelberger offered a resolution to designate the Darien Town Hall, 10569 Alleghany Road, Darien Center, New York as the official Polling Place for 2018 elections in the Town of Darien pursuant to Section 4-104 of New York State Election Law Section 6202; second by Councilwoman Krazmien.

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

RESOLUTION #14

ELECTRONICS GRANT

Supervisor Hagelberger offered a resolution to authorize the Town Clerk to apply for the NYS DEC Electronic Waste Assistance Grant for 2017; second by Councilman Fix.

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

Notifications

Happy New Year

HIGHWAY – started off December with cutting trees, trimming brush and since have been plowing snow. Had a truck that went down with a radiator problem; got it back up and in two days had someone run into the back and damage the sander. It’s getting an all new sander. Then another guy ran into the back of a different truck; there are no problems with our equipment. Have the Highway Expenditures Agreement and will have a check from scrap metal by the end of the week.

RESOLUTION #15

HIGHWAY EXPENDITURES

Supervisor Hagelberger offered a resolution to authorize the Town Board to sign the Highway Expenditures Agreement for 2018; second by Councilman Krzemien.

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

ATTORNEY – has been supporting zoning actions

ASSESSOR – collecting paperwork for Enhanced STAR by March 1st

TAX COLLECTOR – bills are out, just started collecting

HISTORIAN – yearly report issued

TREATMENT PLANT – numbers are good, it’s been very cold with lots of ice but things have been good

Councilman Plitt – expressed thanks to Neil and the Highway department for working through the holidays

Supervisor Hagelberger – welcomed Councilman Krzemien to the board

RESOLUTION #16

CASH REPORT

Councilwoman Krazmien offered a resolution to approve the Supervisor’s Cash Report dated December 31, 2017; second by Councilman Plitt.

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

RESOLUTION #17

ABSTRACT

Councilwoman Krazmien offered a resolution to pay General Fund 1 – 13 for \$10,401.49; Highway 1 for \$2,791.81; and Sewer District #1 1 for \$600.00; second by Councilman Fix.

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

Comments from the Public

Mrs. Deazley stated that the Darien roads are good and you can see the difference with maintenance and plowing.

Supervisor Hagelberger read the proposed Local Law, summarized it and explained that this would be opting out of the exemption for all (residential, commercial and industrial). He stated that school districts must opt out on their own.

At 8:30PM, the Public Hearing was opened with a reading of the notice as it appeared in the official papers. Supervisor Hagelberger stated that the law came about in 2014. Mr. LeRoy gave input that he hopes the Town doesn't give the exemption and that the town still needs those budget dollars and who pays if allow anyone to get exemptions for choices individually made? He expressed a strong urge for the board to opt out of giving the exemption.

Supervisor Hagelberger clarified that Mr. LeRoy's recommendation that the Board not allow exemptions. Ms. Deazley stated that they just put a solar array in and the way the proposed law reads, it does not apply to them; but they would like to see more green energy being used in town and when they put their solar array in, it was with the understanding that they wouldn't get extra taxes and the board should consider using PILOTs instead of opting out of the exemption.

Supervisor Hagelberger explained that his understanding of the law is that if the Board does not opt out, PILOTs are an option and the board has 60 days from receiving an application to notify that the Town is planning to do a PILOT. He also noted that it is in our Zoning Law for a Community Benefits Package with large wind projects.

Ms. Deazley stated that having property taxes on solar arrays would discourage people from putting them in; so she is encouraging the Board to not opt out of the exemption.

Supervisor Hagelberger informed those present that once the public hearing is closed, the board has 62 days to act on it and if the board wants to get more information, the decision may be put off.

RESOLUTION #18

CLOSE PUBLIC HEARING

Councilman Fix offered a resolution to close the public hearing at 8:52PM; second by Councilwoman Krazmien.

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

Supervisor Hagelberger stated that he was undecided and wanted more time to get more information, because once opt out, the exemption is gone for the small homeowner and not just the large projects. He stated they also need to consider the exemptions, if give an exemption, someone else would need to pick up the budgetary costs associated with it.

Councilman Plitt stated that he agrees in encouraging small projects, but need to look out for residents with PILOTs

Supervisor Hagelberger stated that the Law only exempts the increase in assessed value from the solar, wind or farm waste energy system for 15 years and there are a lot of variables that go into this law.

Councilwoman Krazmien asked if there was a way to get data as far as assessment values of something a resident would put in and values of something a commercial entity would put in and how many permits have been issued. After taking a tally if the board was ready to consider a resolution to opt out of the proposed local law or not, the majority wanted more time to delve into more information. Supervisor Hagelberger announced that the Board would not be offering a resolution in order to get more information and likely would offer a resolution either way in February's regular meeting.

RESOLUTION #15719

ADJOURN

At 9:25PM, Councilman Plitt offered a resolution to adjourn; second by Councilwoman Krazmien.

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

Alice E. Calmes, Town Clerk

2018			
Town Board Appointments & Fees			
Position	Appointment	Yearly Salary or Hourly Rate	
Zoning Enforcement Officer (ZEO)/CEO	Jerome Yoder	\$10,160.00	Salary
Building Inspector, Senior/CEO	Joseph Kowalik	\$11,193.00	Salary
Building Inspector/CEO	Jerome Yoder	\$7,261.00	Salary
House Enumerator	Neil Marzolf Jr.	\$400.00	Stipend
Cemetery Flags	TBD (To Be Determined)		
Dog Control	Genesee County		
Dog Enumerator	Deputy Town Clerk		
Official Newspapers	The Daily News		
	Alden Advertisor		
Official Bank	Depository Name	Maximum Amount	Office
	Five Star Bank	\$3,000,000	Attica
	Key Bank	\$2,000,000	Batavia
	Alden State Bank	\$1,000,000	Alden
	M&T Bank	\$1,000,000	Corfu
Transfer Station Rates	Per Town Board approved schedule (full list)		\$2.00 per 30 gal container
Planning Board			
Member		\$25.00	Per Meeting
Chair		\$50.00	Per Meeting
Clerk		\$50.00	Per Meeting
Zone Board of Appeals			
Member		\$25.00	Per Meeting
Chair		\$50.00	Per Meeting
Clerk		\$50.00	Per Meeting
Board of Assessment Review			
Member		\$25.00	Per Meeting
Gas Mileage (\$/mile)		\$.50	\$/mile
Board Meetings	1st Wednesday of the month 7:30p.m.		
Engineer	Contract with Paul Chattfield		
Attorney	Contract with David M. DiMatteo		
Town Procescutor	Contract with Robert Zickl		
Highway Employee's Schedule	May-Oct 4-10 hour days, Oct-May 6:30a.m.-3:00p.m.	per contract	
Budget Control Officer	David Hagelberger	\$513.00	Salary

TOWN BOARD MEETING

JANUARY 3, 2018

Coordinator of Disaster Preparedness	Dave Hagelberger	\$	Salary
Janitorial Service	Contract with Warren Commercial Cleaning, Inc.		
Planning Board Member 12/31/2024 (7 year term)	TBD (To Be Determined)		
Zone Board of Appeals Member 12/31/2022 (5 year term)	Benjamin Kohlhagen		
Registrar of Vital Status	Alice Calmes	\$477.00	Salary
Records Management	Alice Calmes	\$2,015.00	Salary
Fee Schedule			
	Building/Zoning Permit	\$25.00	
	Inspections	\$30.00 each	
	Land Separation	\$25.00	
	Site Plan Review	\$30.00	
	Special Use Permit (SUP)	\$30.00	
	Variance	\$30.00	
	Public Hearing	\$30.00	
	Home Occupation	\$25.00	
	Fireworks	\$10.00	
	Games of Chance	\$25.00	
	Junkyard License	\$120.00	
	Pyrotechnics Permit	\$700.00	
	Dog License – Altered	\$5.00	
	Dog License – Unaltered	\$13.00	
	Dog License – Replacement	\$3.00	
Sewer District #1 Operation			
Sewer Bill Collector	Alice Calmes	\$577.00	Salary
Waste Treat Plant Operator	Neil Marzolf Jr.	\$9,750.00	Salary
Waste Treat Plant Operator - Assistant	Joseph Marino Jr.	\$17.00/hr	\$/hr Rate
Quarterly Sewer billing rate			
minimum payment (includes 4,000 gal usage)		\$25.00	
For each 1,000 gals above 4,000 gals		\$4.75	
Ethics Review Board			
Ethics Review Board, Town Official	Alice Calmes	\$ -	
Ethics Review Board	Donna Ferry	\$ -	
Ethics Review Board	Christopher Nicaastro	\$ -	