

REGULAR MEETING OF THE TOWN OF DARIEN

MAY 1, 2019

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 May 1, 2019

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 #57

MEETING MINUTES

Councilwoman Krazmien offered a resolution to accept the minutes from the April 3, 2019 meeting as read; second by Councilman Plitt.

AYES 5	Krazmien, Plitt, Krzemien, Fix and Hagelberger	NAYS 0
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RESOLUTION #58

STREET FLAGS

Supervisor Hagelberger offered a resolution to authorize the Highway Superintendent to install an American Flag on identified poles in the town prior to the Memorial Day holiday and remove those decorations at a convenient time after the Columbus Day holiday; second by Councilman Fix.

AYES 5	Hagelberger, Fix, Krazmien, Krzemien and Plitt	NAYS 0
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RESOLUTION #59

FLAG PURCHASE

Supervisor Hagelberger offered a resolution to authorize the purchase of replacement American Flags for the Memorial Day display including cemetery flags for placement on veteran’s graves in the town’s cemeteries at a quoted price of \$930.32; second by Councilman Krzemien.

AYES 5	Hagelberger, Krzemien, Plitt, Fix and Krazmien	NAYS 0
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RESOLUTION #60

VETERAN’S FLAGS

Supervisor Hagelberger offered a resolution to authorize the Alexander Boy Scout Troop #650 to place flags on veteran’s graves in cemeteries for this Memorial Day holiday; second by Councilwoman Krazmien.

AYES 5	Hagelberger, Krazmien, Fix, Plitt and Krzemien	NAYS 0
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RESOLUTION #61

STREET LIGHTS

Supervisor Hagelberger offered a resolution to accept National Grid’s Opt-In Program to replace any end of life high intensity discharge (HID) roadway street lights with energy efficient LED roadway lights at no cost to the town; second by Councilwoman Krazmien.

AYES 5	Hagelberger, Krazmien, Fix, Plitt and Krzemien	NAYS 0
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RESOLUTION #62

COURT SECURITY

Supervisor Hagelberger offered a resolution to renew the contract with the Genesee County Sheriff Office to provide seasonal court security in the Darien Town Court during periods of heavy activity; second by Councilman Fix.

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

RESOLUTION #63

SEWER ENGINEERING

Supervisor Hagelberger offered a resolution to add an additional \$12,000 of funding to our contract with Nussbaumer & Clarke for engineering work related to Sewer District No. 1 treatment plant; second by Councilwoman Krazmien.

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

RESOLUTION #64

PYA REGISTRATION

Supervisor Hagelberger offered a resolution to approve and qualify the Pembroke Youth Association (PYA) plan to use funding from the Town’s Reilein Trust Fund revenues to support Darien amateur baseball; second by Councilman Krzemien.

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

The public hearing for the proposed Local Law “2019 Updates to the Town of Darien Zoning Law” was opened at 7:45PM with a reading of the notice as appeared in the official papers. Supervisor Hagelberger explained the proposed changes.

Notifications

Water District No. 6 Referendum was not approved. A Press Release is posted on our website with the voting results.

HIGHWAY – Everything is in good working order. Had one truck in the paint shop, it is 9 years old and it’s the first time in. Have the trucks cleaned up and have been doing a lot of maintenance. Finished the wood cutting & brush clean up. Did receive the last two Snow & Ice payments (County & State). CHIPS money is down \$19,933.40 from last year; the total we will be getting is \$129,481.02.

ZEO – report read

Supervisor Hagelberger asked again if there were any questions or comments on the proposed zoning law change before the public hearing is closed.

RESOLUTION #65

PUBLIC HEARING

Supervisor Hagelberger offered a resolution to close the public hearing on the proposed “2019 Updates to the Town of Darien Zoning Law” at 8PM; second by Councilman Krzemien.

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

RESOLUTION #66

**TOWN OF DARIEN
RESOLUTION RELATING TO THE
PROPOSED LOCAL LAW ENTITLED
“2019 UPDATES TO THE TOWN OF DARIEN ZONING LAW”**

Adopted: May 1, 2019

The Town Board of the Town of Darien met at a regular board meeting at the Town Offices of the Town of Darien on the 1st day of May 2019, commencing at 7:30PM, at which time and place the following members were:

PRESENT: Supervisor David Hagelberger
 Councilman Michael Fix
 Councilman Barbara Krazmien
 Councilman David Krzemien
 Councilman Michael Plitt

ABSENT: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town of Darien has determined that updated regulations are needed regarding rental halls and miscellaneous other provisions of the Town Zoning Law; and

WHEREAS, the Town Board has declared it was the Lead Agency for purposes of the State Environmental Quality Review Act (hereinafter “SEQRA”) review of said project.

WHEREAS, the Genesee County Planning Board has reviewed the proposed Zoning Law change and approved it; and

WHEREAS, the Town Board has received no objections to acting as Lead Agency and has established themselves as SEQR Lead Agency; and

WHEREAS, the Town Board has reviewed the EAF, comments and input received from Genesee County pursuant to sections 239-l and 239-m of the General Municipal Law, the public and the Town’s Consultant, completed parts 2 and 3 of the full EAF; and

WHEREAS, the Town Board in accordance with the State Environmental Quality Review Act (SEQRA”) has determined that the proposed local law will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and has determined that the proposed local law will result in no significant adverse environmental impacts; and

WHEREAS, the Town Board of the Town of Darien held a public hearing on May 1, 2019 to consider the public opinion of all interested parties and citizens for or against the proposed local law entitled “2019 Updates to the Town of Darien Zoning Law”; and

WHEREAS, there was no objection from the public to enact such local law;

NOW ON A MOTION OF David Hagelberger which has been duly seconded by Michael Plitt, now therefore, be it

RESOLVED, that the Town Board hereby issues a Negative Declaration and the Supervisor is authorized to sign the EAF which will act as the SEQR Negative Declaration; and be it further

RESOLVED, the Town Board of the Town of Darien hereby adopts the Local Law entitled “2019 Updates to the Town of Darien Zoning Law”; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State of New York.

Ayes: 5

Nays: 0

Quorum Present: Yes No

Dated: May 1, 2019

Alice Calmes, Clerk
Town of Darien

[SEAL]

PLANNING BOARD – previous changes have a couple of the land owners coming through; interested candidates for the open position on the Planning Board should submit a letter of intent to the Clerk by May 29th

ASSESSOR – Tentative Roll came out today; Grievance is June 3rd

ENGINEER – Treatment Plant Engineer is working on the issue with the limits and the new application requirements

TOWN CLERK – Town offices will be closed on Monday, May 27th for Memorial Day

TAX COLLECTOR – final report read

TREATMENT PLANT – BOD & TSS numbers are good; ammonia is out but with the temps coming up, they are getting better. Working with the Engineer and DEC on the limits.

Councilman Plitt thanked all who came out and voted; and thank the poll workers, Supervisor and Town Clerk for all their work

RESOLUTION #67

COMP PLAN

WHEREAS, Towns in New York State are granted the authority to prepare and adopt a comprehensive plan in accordance with New York State Town Law §272-a; and

WHEREAS, the Town of Darien adopted a Comprehensive Plan in 1970 and a revised version in 2005 that sets forth a combination of ideas to deal with the future needs of the Town of Darien; and

WHEREAS, Comprehensive Plans benefit from periodic public review.

NOW ON A MOTION OF Michael Plitt which has been duly seconded by David Krzemien, now therefore, be it

RESOLVED, the Town Board of the Town of Darien hereby creates a Comprehensive Plan Update Committee consisting of the following residents to review the Town of Darien Comprehensive Plan:

Jerome Yoder, ZEO; Michael Plitt, Councilman; Michael Fix, Councilman; Charlie Marble, ZBA; Anthony Hackett, ZBA; Donna Ferry; Bruce Tyrrell; Michael Parkot; Richard Bergman; John Reynolds; and a member of the Darien Planning Board (TBD); and be it

FURTHER RESOLVED, the Town of Darien Town Board empowers the Comprehensive Plan Update Committee to review the current Comprehensive Plan and solicit input from town residents and present the Town Board with a revised Comprehensive Plan incorporating the input of the committee and any interested town residents.

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

RESOLUTION #68

COMPLIANCE OFFICER

Councilwoman Krazmien offered a resolution to designate the Town Supervisor as compliance officer for the Sexual Harassment Policy; second by Councilman Plitt.

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

RESOLUTION #69

SEXUAL HARASSMENT

Councilwoman Krazmien offered a resolution to approve the Town Sexual Harassment Policy and Complaint form present last month; second by Councilman Krzemien.

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

Councilwoman Krazmien announced that Sexual Harassment training will be forthcoming.

RESOLUTION #70

CASH REPORT

