

REGULAR MEETING OF THE TOWN OF DARIEN

JANUARY 6, 2021

MINUTES OF THE DARIEN TOWN BOARD: Supervisor Stephen Ferry Jr, Council Members Michael Grant, David Krzemien, Timothy Benten, Michael Fix 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 6, 2021

PRESENT:	Stephen Ferry Jr	Supervisor
	Timothy Benten	Councilman
	Michael Grant	Councilman
	David Krzemien	Councilman
	Michael Fix	Councilman
	Alice Calmes	Town Clerk

ABSENT:

OTHERS PRESENT: Sue Galbraith-Alden Advertiser; Jerome Yoder - ZEO; 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

MEETING MINUTES

Councilman Fix offered a resolution to accept the meeting minutes from the December 2, 2020 meeting as read; second by Councilman Benten.

AYES 5	Fix, Benten, Krzemien, Grant and Ferry	NAYS 0
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RESOLUTION #2

MEETING MINUTES

Councilman Fix offered a resolution to accept the meeting minutes from the December 30, 2020 meeting as read; second by Councilman Krzemien.

AYES 5	Fix, Krzemien, Grant, Benten and Ferry	NAYS 0
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RESOLUTION #3

PLANNING BOARD

Supervisor Ferry offered a resolution to advertise for the open Planning Board position expiring December 31, 2027; second by Councilman Fix.

AYES 5	Ferry, Fix, Benten, Krzemien and Grant	NAYS 0
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RESOLUTION #4

HIGHWAY EXPENDITURES AGREEMENT

Supervisor Ferry offered a resolution to approve and the Board to sign the Agreement for Expenditures of Highway Moneys; second by Councilman Grant.

AYES 5	Ferry, Grant, Krzemien, Benten and Fix	NAYS 0
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Town Board Holiday Schedule, Meeting schedule, Appointments and Fees read – all attached at end of minutes.

RESOLUTION #5

TOWN APPOINTMENTS & FEES

Supervisor Ferry offered a resolution to approve the Holiday Schedule, Meeting Schedule, and appointments and fees; second by Councilman Fix.

AYES 5	Ferry, Fix, Benten, Krzemien and Grant	NAYS 0
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TOWN BOARD MEETING

JANUARY 8, 2020

Supervisor Appointments: Deputy Supervisor – David Krzemien; Historian – Barb Uzarowski; Bookkeeper – Barb Krazmien

Highway Appointment: Deputy Highway Superintendent – Brian Bontrager

Town Clerk Appointments: Deputy Town Clerks – Teresa Burkhardt & Gwen Yoder

RESOLUTION #6

APPOINTMENTS

Councilman Grant offered a resolution to accept the Supervisor, Highway Superintendent and Town Clerk appointments; second by Councilman Benten.

AYES 5 Grant, Benten, Fix, Krzemien and Ferry NAYS 0

RESOLUTION #7

AUDIT

Supervisor Ferry offered a resolution to authorize the Supervisor to contract with an independent agency to audit the 2020 year-end financials in accordance with the budget; second by Councilman Krzemien.

AYES 5 Ferry, Krzemien, Grant, Fix and Benten NAYS 0

RESOLUTION #8

ASSOCIATION OF TOWNS

Supervisor Ferry offered a resolution to continue the town’s membership in the NYS Association of Towns for 2021; second by Councilman Fix.

AYES 5 Ferry, Fix, Benten, Krzemien and Grant NAYS 0

RESOLUTION #9

UTILITY BILLS

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

AYES 5 Ferry, Krzemien, Grant, Fix and Benten NAYS 0

RESOLUTION #10

GARBAGE DISPOSAL BILLS

Supervisor Ferry offered a resolution to authorize the Supervisor to pay garbage disposal bills prior to abstract approval to avoid late payment charges; second by Councilman Benten.

AYES 5 Ferry, Benten, Fix, Grant and Krzemien NAYS 0

RESOLUTION # 11

INSURANCE & RETIREMENT

Supervisor Ferry 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 Councilman Fix.

AYES 5 Ferry, Fix, Benten, Krzemien and Grant NAYS 0

RESOLUTION #12

HIGHWAY BIDS

Supervisor Ferry offered a resolution to authorize the Highway Superintendent to make purchases at State and County bid prices and piggyback off other municipal bid contracts; second by Councilman Krzemien.

AYES 5 Ferry, Krzemien, Grant, Fix and Benten NAYS 0

RESOLUTION #13

HIGHWAY SEMINARS

TOWN BOARD MEETING

JANUARY 8, 2020

Supervisor Ferry offered a resolution to authorize the Highway Superintendent to attend 2021 spring and fall highway seminars at reasonable town expense in accordance with the town’s employee manual; second by Councilman Benten.

AYES 5 Ferry, Benten, Fix, Grant and Krzemien

NAYS 0

RESOLUTION #14

POLLING PLACE

Supervisor Ferry offered a resolution to designate the Darien Town Hall, 10569 Alleghany Road, Darien Center, New York as the official Polling Place for 2020 elections in the Town of Darien pursuant to Section 4-104 of New York State Election Law Section 6202; second by Councilman Grant.

AYES 5 Ferry, Grant, Krzemien, Benten and Fix

NAYS 0

Notifications

Happy New Year

The Court Audit Committee this year will be Councilman Fix and Councilman Benten

Committee to replace Flags and Holiday Decorations will be Councilman Grant

Committee on LED Street Lighting will be Councilman Krzemien

Committee on Insurance Reviews will be Tim Benten

The Sewer Law Review and Water District Law Review Committee will be Councilman Krzemien

RESOLUTION #15

COUNTY CHARGEBACKS

Supervisor Ferry offered a resolution to pay \$8245.63 to the Genesee County Treasurer in County chargebacks prior to abstract approval; second by Councilman Fix.

AYES 5 Ferry, Fix, Benten, Krzemien and Grant

NAYS 0

Supervisor Ferry announced that CPP (our payroll company) sent a notification they are increasing their price after the budget and read the list of budget transfers; these should be the final adjustments

RESOLUTION #16

BUDGET TRANSFERS

Supervisor Ferry offered a resolution to approve the following budget transfers; second by Councilman Krzemien.

From A1990.4 Contingent \$52.00 to A7510.1 Historian Salary

From A1990.4 Contingent \$2,906.00 to A9040.8 Workers Comp

From A1990.4 Contingent \$3,625.29 to A9050.8 Unemployment

From DA5142.1 Snow Removal \$1,293.20 to DA5110.1 Maintenance of Roads

From DA5142.1 Snow Removal \$5,949.40 to DA5130.1 Machinery

From DA 5110.4 Maintenance of Roads Contractual \$13,466.63 to DA5130.4 Machinery Contractual (this is a reduction from the December 30th budget transfer)

From DA5142.1 Snow Removal \$2,440.40 to DA9089.8 Payout

From SS8120.4 Coll Sys Contr \$1,500.00 to SS90608 H Ins

From SS8130.1 Trtmt Salary \$1040.03 to SS9060.8 H Ins

From SS8130.1 Trtmt Salary \$60.41 to SS8130.4 Phone

From SS8130.1 Trtmt Salary \$1,095.56 to SS8110.4 Engineer

From SS8130.2 Trtmt Equip\$17,000.00 to SS8110.4 Engineer

Supervisor Ferry explained that he received two contractual agreements with Individual Appraisals for a Capital Expense Plan to satisfy GASB. We could do part this year and part next year, but the second part will increase in price if don’t do it together. The first is for land, buildings, highway, and office equipment at a price of \$2670.00 and the second is for all infrastructure at a cost of \$1500.00.

RESOLUTION #17

APPRAISALS

Supervisor Ferry offered a resolution to accept both appraisals to get the Capital Expense Plan done; second by Councilman Krzemien.

AYES 5 Ferry, Krzemien, Grant, Fix and Benten

NAYS 0

Councilman Grant asked when it'll be done by, Supervisor Ferry stated that it's supposed to be done by March 1st. Councilman Krzemien asked if this was the first time it was being done and if this is required by the State. Supervisor Ferry answered yes to both questions.

HIGHWAY – Superintendent Marzolf is under the weather; prayers go out to him.

ZEO – December is typically slower, with the computer system built out the way it is, we should be able to get statistical data for the board. Zoom looks like it will work really well. There was no business for the PB or ZBA in December and nothing in line for January. Was contacted by Darien Lake that they would like to move forward in some capacity this Spring.

ATTORNEY – brief meeting with a couple residents, the Engineer in order to get petitions signed for the Townline Road Water District

ASSESSOR – this is an update year

ENGINEER – Bruce is trying to satisfy the DEC with the rest of the report for the Sewer plant

TAX COLLECTOR – bills went out and have been coming back in quickly

TREATMENT PLANT – no report due to Superintendent Marzolf being out sick.

The highway garage is locked down; we have 2 guys working and 2 guys out sick. We do have 2 guys that we can use as backups if needed and we also have the shared services and mutual aid package with other towns.

Councilman Grant started getting prices to convert to banners in lieu of lights. Will try to have something together soon. Banners will likely last longer. Councilman Krzemien asked if Darien Lake could do a sponsorship; Clerk Calmes stated other towns get people to sponsor a banner with a picture of a military family members picture on it.

Councilman Benten explained that a previous resolution authorizing part time employees to join the group health plan, a part time employee is defined as appearing on the NY45 and requests the Town Clerk include the definition of a part time employee in the employee handbook.

RESOLUTION #18

ABSTRACT

Councilman Fix offered a resolution to pay General Fund 1 – 13 for \$8,652.92; Highway 1 for \$16,465.00; Sewer District #1 1 – 5 for \$2,993.57; and Trust & Agency 1 for \$11,848.00; second by Councilman Benten.

AYES 5 Fix, Benten, Krzemien, Grant and Ferry

NAYS 0

RESOLUTION #19

ADJOURN

At 8:35PM, Supervisor Ferry offered a resolution to adjourn; second by Councilman Benten.

AYES 5 Ferry, Benten, Fix, Grant and Krzemien

NAYS 0

Alice E. Calmes, Town Clerk

Town of Darien 2021 Holiday Schedule

New Year's Day January 1st Friday
Martin Luther King Day January 18th Monday
Presidents' Day February 15th Monday
Memorial Day May 31st Monday
Independence Day July 5th Monday
Labor Day September 6th Monday
Columbus Day October 11th Monday
Veteran's Day November 11th Thursday
Thanksgiving Day November 25th Thursday
Christmas Day December 24th Friday

2022 Holiday Schedule (partial)

New Year's Day 2022 January 1st Saturday

2021 Darien Town Board Meeting Schedule

Scheduled Town Board Meetings 1st Wednesday of the Month
January 6, 2021 Organizational Meeting
February 3, 2021
March 3, 2021
April 7, 2021
May 5, 2021
June 2, 2021
July 7, 2021
August 4, 2021
September 1, 2021
October 6, 2021
November 3, 2021
December 1, 2021
December 29, 2021 Year End Meeting
January 5, 2022 Organizational Meeting

Board Work Sessions

Board Meets only when Business Requires
Monday preceeding the Monthly Meeting (see above)
February 1, 2021
March 1, 2021
April 5, 2021
May 3, 2021
June 1, 2021 Moved to Tuesday due to Holiday
July 6, 2021 Moved to Tuesday due to Holiday
August 2, 2021
August 30, 2021
October 4, 2021 2020 Budget Mtg Tentative
November 1, 2021
November 29, 2021
January 3, 2022

2021

Town Board Appointments & Fees

Position	Appointment	Yearly Salary or Hourly Rate	
Zoning Enforcement Officer (ZEO)/CEO	Jerome Yoder	\$10,556.00	Salary
Building Inspector, Senior/CEO	Joseph Kowalik	\$11,206.00	Salary
Building Inspector /CEO	Jerome Yoder	\$7,540.00	Salary
House Enumerator	Neil Marzolf Jr.	\$600.00	Salary

Cemetery Flags TBD (To Be Determined)

Dog Control Genesee County

Dog Enumerator TBD

Official Newspapers The Daily News Alden Advertiser

Official Bank	Depository Name	Maximum Amount	Office
	Five Star Bank,	\$3,500,000	Attica
	Key Bank	\$1,000,000	Attica
	Alden State Bank	\$1,000,000	Alden
	NY CLASS	\$2,000,000	Batavia

Transfer Station Rates - Transfer Station Closed

Planning Board

Member	\$30.00	Per Meeting
Chair	\$60.00	Per Meeting
Clerk	\$60.00	Per Meeting

Zone Board of Appeals

Member	\$30.00	Per Meeting
Chair	\$60.00	Per Meeting
Clerk	\$60.00	Per Meeting

Board of Assessment Review

Member	\$30.00	Per Meeting
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Gas Mileage (\$/mile) \$0.50 \$/mile

Board Meetings 1st Wednesday of the month 7:30 p.m.

Engineer Engineer on as needed basis

Attorney Contract with David M DiMatteo

Town Procescutor Contract with Robert Zickl

Highway Employee's Work Schedule May -Oct 4-10 hour days, Oct-May 6:30 a.m.-3:00p.m. per contract

Budget Control Officer Steve Ferry \$546.00 Salary

Coodinator of Disaster Preparedness Steve Ferry \$- Salary

Janitorial Service Contract with Warren Commerical Cleaning Inc.

Planning Board Member 12/31/2027 (7 year term) TBD

Zone Board of Appeals Member to 12/31/2025 (5 year term) Al Stein

Board of Assessment Review Member 9/30/2025 (5 year term) Anthony Hackett

Registrar of Vital Statistics Alice Calmes \$520.00 Salary

Records Management Alice Calmes \$2,054.00 Salary

Sewer District #1 Operation

Sewer Bill Collector Alice Calmes \$624.00 Salary

Waste Treat Plant Operator Neil Marzolf Jr. \$10,218.00 Salary

Waste Treat Plant Operator - Assistant Joseph Marino Jr. 18.00/hr \$/hr Rate

Quarterly Sewer billing rate

minimum payment (includes 4,000 gal usage) \$35.00

For each 1,000 gals above 4,000 gals \$7.75

Ethics Review Board

TOWN BOARD MEETING

JANUARY 8, 2020

Ethics Review Board, Town Official	Alice Calmes	\$-
Ethics Review Board	Donna Ferry	\$-
Ethics Review Board	Christopher Nicastro	\$-

**Town of Darien
2021 Fee Schedule**

Zoning Fees

1.	Appeals for Area or Use Variance	\$100.00
2.	Site Plan Review	\$100.00
3.	Land Separation	\$100.00
4.	Special Use Permit	\$100.00
5.	Public Hearing Fee	\$ 50.00
6.	Subdivision	\$500.00
7.	Planned Unit Development	\$500.00

Operating Permits \$50.00

Building Permit Fees:

Residential Structures

1.	New construction – Building Inspections additional (examples: Homes, Additions, Porches, Decks, Renovations)	\$75.00
2.	Roofs – (ex. Metal, asphalt)	\$75.00
3.	Demolition (fee waived if new building permit issued)	\$75.00
4.	Swimming Pools (in/above ground) or Hot Tubs	\$75.00
5.	Shed – Pre-manufactured	\$50.00
6.	Shed – Stick built, per new construction	\$75.00
7.	Solar Panels (residential – ground or roof)	\$75.00
8.	Generator	\$35.00

Fees determined by Zoning Permit fees (for reference only)

9.	Pond/lagoons (Special Use Permit required)	\$35.00
10.	Signs (Zoning Permit only – without foundations)	\$35.00
11.	Home Occupation (Special Use permit Required)	\$100.00

Commercial Structures – Determined on a case by case bases

Inspection fee (determine by Building Inspector during plan review) \$35.00 each

Fireworks Permit Fees

1.	Fireworks (one set up -single event)	\$75.00
2.	Annual Fireworks Permit (single setup – reoccurring static display)	\$1250.00

Pyrotechnic Permit Fee (single setup – single event) \$700.00

Dog License Fees

1.	Dog License – Altered	\$5.00
2.	Dog License – Unaltered	\$13.00
3.	Dog License - Replacement Tag	\$3.00
4.	Enumeration Fee	\$5.00

Other Fees

Games of Chance	\$25.00
Junkyard License	\$120.00