

REGULAR MEETING OF THE TOWN OF DARIEN

APRIL 6, 2022

MINUTES OF THE DARIEN TOWN BOARD: Supervisor Stephen Ferry, Council Members Timothy Benten, Michael Fix, Michael Grant, David Krzemien, 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 April 6, 2022

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

ABSENT:

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

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

RESOLUTION #38

MEETING MINUTES

Councilman Grant offered a resolution to accept the minutes from the March 2, 2022 meeting as read; second by Councilman Fix.

AYES 5	Grant, Fix, Benten, Krzemien and Ferry	NAYS 0
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RESOLUTION #39

ARCTIC PROPOSAL

Supervisor Ferry offered a resolution to accept the Arctic Refrigeration proposal (dated 03/24/22 Revised) for air conditioning unit replacement of the air handling and condensing units; second by Councilman Benten. This is to replace the defective unit.

AYES 5	Ferry, Benten, Fix, Grant and Krzemien	NAYS 0
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RESOLUTION #40

GC ZONING ACTIONS

Supervisor Ferry offered a resolution to enter into an agreement between Genesee County and the Town of Darien for zoning action referrals; second by Councilman Grant.

AYES 5	Ferry, Grant, Krzemien, Benten and Fix	NAYS 0
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RESOLUTION #41

ENGINEERING

Supervisor Ferry offered a resolution sign a letter of engagement with Clark Patterson Lee Engineering firm for the sewer district upgrade in accordance with their submitted RFQ proposal; second by Councilman Benten.

AYES 5	Ferry, Benten, Fix, Grant and Krzemien	NAYS 0
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RESOLUTION #42

COURT SECURITY

Supervisor Ferry offered a resolution to enter into an agreement with the Village of Corfu to provide court security for the Darien Town Court for 2022 subject to the acceptance of the terms; second by Councilman Grant. Supervisor Ferry is to forward the agreement to the Town Attorney and Insurance Company prior to signing.

AYES 4	Ferry, Grant, Benten and Fix	ABSTAIN 1 - Krzemien	NAYS 0
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RESOLUTION #43

DEC UPDATE LETTER

Supervisor Ferry offered a resolution to sign and send an update letter to the DEC on behalf of the Darien Sewer District; second by Councilman Benten.

AYES 5 Ferry, Benten, Fix, Krzemien and Grant

NAYS 0

RESOLUTION #44

B. LEROY LETTER

Supervisor Ferry offered a resolution to send a Town Board letter and a copy of Bruce LeRoy’s request to the County Legislature; second by Councilman Krzemien. The Town Clerk is to also include a certified copy of this resolution when the letters are sent.

AYES 5 Ferry, Krzemien, Grant, Fix and Benten

NAYS 0

RESOLUTION #45

AMEND ABSTRACT

Supervisor Ferry offered a resolution to correct Abstract #3 March 2, 2022, claim # 18a Frontier from \$74.47 to \$71.47 on the Sewer abstract and claim # 30 (31H) gas from \$890.95 to 890.96 on the Highway abstract; second by Councilman Fix.

AYES 5 Ferry, Fix, Benten, Krzemien and Grant

NAYS 0

Notifications

Update on the Water District #11 – Walker Road given

A public invitation to all the residents on Sumner Road west of Route 77 from the existing water district to Harlow; Harlow Road from the existing water district to Sumner; and other interested parties in this area surrounding to attend the May Town Board meeting at 8PM for public comment to judge the amount of interest for a water district.

Due to a change in submitting public hearing notices, the Broadway Road Cemetery Association cannot submit notices to The Batavia Daily to hold their legally required meetings. We can submit the notices under the town account.

HIGHWAY – everything is in good working order. We have been plowing, have used 2/3 of the salt. Worked on clean up from winter and did a little tree work. Spent a week at the pole barn at the transfer station to make more usable. Have 2 “V” plows, an old one-way plow from probably the 60s or 70s, a six-foot brush hog (probably the early 60s), a stone slinger, a stone box (made in 1964). We could scrap or take to auction. The street flags need to be gone through, some of them took a beating last year; everything is down in the basement. Put the bid out for mowing. Received 1 bid; besides advertising in the papers, we also contacted 4 additional places a couple weeks ago asking if they would be interested in submitting a bid. Diamond Landscape was the only bid submitted. The price is up some from last year, but we were late getting started last year so there weren’t as many mowings. The bid for the season from Diamond were as follows: Town Hall/Courthouse \$2,000; Fire Hall \$2,600; the 3 Cemeteries \$2,500; Treatment Plant \$2,600.

RESOLUTION #46

MOWING

Supervisor Ferry offered a resolution to enter into the agreement with Diamond Landscaping for the mowing during the 2022 season; second by Councilman Fix.

AYES 5 Ferry, Fix, Benten, Krzemien and Grant

NAYS 0

Supervisor Ferry asked Superintendent Marzolf how Harper Road is coming. They will be going down there soon to look at it and see what the costs would be for different options; looking at long term options for the drainage issues.

ZEO – submitted reports

ENGINEER – hoping to have some rough numbers for next month for the potential Sumner Road district

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TOWN CLERK – would like to get the cemetery flags ordered this month to make sure we have them in time to have the Alexander Boy Scouts place them before Memorial Day. I requested a quote from Carrot-Top, but I haven’t received anything back, so I don’t know how much shipping will be.

RESOLUTION #47

CEMETERY FLAGS

Supervisor Ferry offered a resolution for the Town Clerk to order the flags for the cemeteries at the best rate possible; second by Councilman Krzemien.

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

TAX COLLECTOR – No report, will be closing out with the County tomorrow and will have a final report next month.

TREATMENT PLANT – numbers are good. Everything has been running okay, moving forward with the Engineer.

Councilman Krzemien – light at Sumner & 77, very dim when directing traffic. Superintendent Marzolf stated that the light was recently replaced, it was supposed to be switched to an LED. If it wasn’t changed to LED, we’ll ask for it to be a priority and ask for no guards so there is more light.

Councilman Benten – Councilman Fix & I did the court audit. Everything was stellar; Marcia does a great job and should be commended for the way the paperwork is kept.

RESOLUTION #48

COURT AUDIT

Supervisor Ferry offered a resolution to accept the court audits for 2021; second by Councilman Krzemien.

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

RESOLUTION #49

CASH REPORT

Councilman Fix offered a resolution to accept the Supervisor’s Cash report for January 2022; second by Councilmen Benten.

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

RESOLUTION #50

CASH REPORT

Councilman Fix offered a resolution to accept the Supervisor’s Cash report for February 2022; second by Councilman Benten.

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

RESOLUTION #51

ABSTRACT

Councilman Fix offered a resolution to accept the abstract & pay the bills in accordance with the abstract; second by Councilman Krzemien. General Fund 63 – 90 for \$43,196.72; Highway 33 - 47 for \$21,907.18; Sewer District #1 21 – 30 for \$8,720.07; and Water District #5 1 for \$697.50.

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

RESOLUTION #52

ADJOURN

At 8:07PM, Councilman Grant offered a resolution to adjourn; second by Supervisor Ferry.

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

Alice E. Calmes, Town Clerk