

REGULAR MEETING OF THE TOWN OF DARIEN

AUGUST 2, 2023

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 special 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 August 2, 2023

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

OTHERS PRESENT: Sue Galbraith – Alden Advertiser; Neil Marzolf – Highway Superintendent; Gordon Dibble – County Legislature; and other members of the public

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

RESOLUTION #107

MEETING MINUTES

Councilman Grant offered a resolution to accept the minutes from the July 5, 2023 meeting as read; second by Councilman Krzemien.

AYES 4 Grant, Krzemien, Benten, and Ferry

NAYS 0

Sales tax came in, it is on par with what we were told we would get.

Sewer Plant project – grant applications were submitted for CDBG, WQIP, WIIA; now we wait

Water District #11 – Rural Development passed onto General Counsel, waiting on them for approval to go to bid

RESOLUTION #108

TOWN OF DARIEN WATER DISTRICT NO. 11-WALKER ROAD USE OF TOWN OF BATAVIA STANDARD MATERIALS

WHEREAS, the Town of Darien in accordance with their inter-municipal agreement for operation and maintenance services with the Town of Batavia, has designed the water system for Water District No. 11 utilizing the Town of Batavia's standard materials; and

WHEREAS, the Town of Darien has reviewed Batavia's standard materials and equipment and agrees that the quality and interchangeability of parts and/or equipment is in the best interest of Water District No.11.

NOW, THEREFORE, on a motion by Stephen Ferry, Jr., which has been duly seconded by Michael Grant;

BE IT RESOLVED, the Darien Town Board hereby adopts the Town of Batavia construction material and equipment standards for the quality and interchangeability of parts and/or equipment; and

BE IT FURTHER RESOLVED, the Darien Town Board hereby requests approval from USDA-Rural Development for the use of these standardized materials and/or equipment for the Water District No. 11 project.

Stephen Ferry, Jr.	<u>Yes</u> / No / Abstain / Absent
David Krzemien	<u>Yes</u> / No / Abstain / Absent
Timothy Benten	<u>Yes</u> / No / Abstain / Absent
Michael Fix	Yes / No / Abstain / <u>Absent</u>
Michael Grant	<u>Yes</u> / No / Abstain / Absent

APPROVED by unanimous vote

At 7:45pm, the public hearing on the Franchise Agreement with Spectrum was opened with a reading of the notice as it appeared in the official paper. Mr. Bruce LeRoy asked if the franchise area is the whole town and asked if they were going to expand coverage? The agreement was also sent over to our Town Attorney, and he replied with comments including a shorter agreement. Mr. Olsen commented that as a property owner, he could only recommend a 5-year agreement because technology is changing way too fast.

RESOLUTION #109

PUBLIC HEARING

Supervisor Ferry offered a resolution to pause the public hearing at 8:02pm until next month in order to get questions answered and have Town Attorney, David DiMatteo redline the agreement, we will reopen the public hearing at next month's meeting at this same time; second by Councilman Benten.

AYES 4 Ferry, Benten, Krzemien, and Grant

NAYS 0

Notifications

The 2023 Budget process will begin this month with department inputs and special budget work sessions to be announced in September and October, will probably need 1 or 2

Congressional Spending Notification – didn't get

Water District #11 IMA with Batavia, was sent back to Kevin Earl and he just sent it back to Dave DiMatteo.

Demo – signed contract with an air monitoring company, that should run between \$120 - \$1800, they've worked with the demo company before.

Department Reports

HIGHWAY – one truck was at Hunter with warning lights on; waiting on a hoist for another truck & changed the water pump on the Daewoo. Changed 3 pipes – 2 on Griswold & 1 on O'Connor at the 77 intersection. Did a 1" top on Bell Road, about 1/2 done with the second mowing. Rented a screen for millings, screened ditch dirt and millings to be able to use the good stuff. Generator guy is coming tomorrow morning.

ATTORNEY – working on the Franchise Agreement and Water District #11

ASSESSOR – computer is really slow; believe we can switch money from the Supervisor .2 to get a new one.

ENGINEER – CPL is working on the sewer

TOWN CLERK – have the Retirement resolution, GoDaddy renewal, announcement for Hazardous Household recycling by GLOW, Steve Hawley outreach, and USDA – RD has loans and grants for home buyers & owners

RESOLUTION # 110

RETIREMENT

The following resolution was brought forth by Councilman Benten and seconded by Councilman Krzemien:

Be it resolved that the Town of Darien/Location Code 30266 hereby established the following standard workdays for these titles and will report the officials to the NYS & Local Retirement based on their record of activities:

TOWN BOARD MEETING

AUGUST 2, 2023

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

AYES 4 Benten, Krzemien, Grant, and Ferry

NAYS 0

RESOLUTION # 111

GoDaddy

Councilman Grant offered a resolution to renew the contract with GoDaddy for another 2 years for approximately \$44; second by Councilman Krzemien.

AYES 4 Grant, Krzemien, Benten, and Ferry

NAYS 0

TREATMENT PLANT – numbers are real good, the plant is running well. Route 77 & Erie Street has had a lot of plug ups; that area only has 4” mains. We were able to dig it up & get the pitch up correctly – got it all fixed.

Supervisor Ferry stated that we will have to look at the budget & may have to do a budget amendment.

Councilman Grant stated that apparently the lease with the Fire Department on the ball diamond expired in April, if the insurance changes then we should take it off.

Councilman Benten will notify the contact that we have questions and are having the town attorney look into further.

RESOLUTION #112

SUPERVISOR CASH

Councilman Benten offered a resolution to accept the Supervisor’s Cash Report for June 2023; second by Councilman Krzemien.

AYES 4 Benten, Krzemien, Grant, and Ferry

NAYS 0

RESOLUTION #113

ABSTRACT

Councilman Grant offered a resolution to pay the bills in accordance with the abstract; second by Councilman Krzemien. General Fund 201 – 227 for \$47,101.09; Highway Fund 94 – 110 for \$21,664.43; Sewer 49 – 55 for \$2,924.48; Special Zoning 3 for \$125.00; Capital – Sewer 17 – 19 for \$3,764.77; and Capital – Water District #11 7 – 9 for \$2,800.27.

Comments from the Public

Legislature Dibble gave an overview on the progress on the jail project – it’s running on time and in budget, they will be starting the budget process very soon & will have negotiations with 2 unions for this budget; more money was just put into the grant writing grant, and we should check with Matt on the ceiling.

Mr. Dave Olsen wanted to find out if his property (just north of the sewer district) would be required to be included in the new sewer project or if he will still be able to use septic there. Supervisor Ferry stated that it is not required to connect because it is only going to be a transmission line only.

Mrs. Cindy Morrison asked about possibly having 2 turkeys carved to go under the Town of Darien sign and have the native name put on as well. Supervisor Ferry stated that there is nothing left in beautification, we’ve been trying to get grants for other things but to get amounts and sketch of what it would look like.

RESOLUTION #106

ADJOURN

At 8:42pm, Councilman Grant offered a resolution to adjourn; second by Councilman Krzemien.

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

NAYS 0

Alice E. Calmes, Town Clerk