

REGULAR MEETING OF THE TOWN OF DARIEN

JULY 10, 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 July 10, 2019

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

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 #89

MEETING MINUTES

Councilman Fix offered a resolution to accept the minutes from the June 5, 2019 meeting as read; second by Councilman Plitt.

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| AYES 4 | Fix, Plitt, Krzemien and Hagelberger | NAYS 0 |
|--------|--------------------------------------|--------|

RESOLUTION #90

CLEANING AGREEMENT

Supervisor Hagelberger offered a resolution to authorize the Supervisor to sign the cleaning contract renewal with Warren’s Commercial Cleaning, Inc. with an increase of \$18.00 at a new rate of \$383.00 per month for a period of August 1, 2019 through July 31, 2020; second by Councilman Krzemien.

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| AYES 4 | Hagelberger, Krzemien, Plitt and Fix | NAYS 0 |
|--------|--------------------------------------|--------|

RESOLUTION #91

SCANNER

Supervisor Hagelberger offered a resolution to authorize the Records Manager to purchase a large format scanner at a cost not to exceed \$2,600.00 in accordance with the amount appropriated in the 2019 budget; second by Councilman Plitt.

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| AYES 4 | Hagelberger, Plitt, Krzemien and Fix | NAYS 0 |
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RESOLUTION #92

CLERK COMPUTER

Supervisor Hagelberger offered a resolution to authorize the Town Clerk to purchase an upgrade to that office computer and monitor at a cost not to exceed \$800.00 in accordance with the 2019 budget; second by Councilman Fix.

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| AYES 4 | Hagelberger, Fix, Plitt and Krzemien | NAYS 0 |
|--------|--------------------------------------|--------|

Supervisor Hagelberger read the letter from Town Assessor, Deborah Conti about her retirement effective 7/18/19.

RESOLUTION #93

TOWN ASSESSOR

Supervisor Hagelberger offered a resolution to appoint Deborah Conti as Town Assessor effective 7/22/19 to complete the current unexpired term of office ending 9/30/19; second by Councilman Krzemien.

AYES 4 Hagelberger, Krzemien, Plitt and Fix

NAYS 0

RESOLUTION #94

To Execute a Grant Agreement with the NYS Environmental Facilities Corporation for an Engineering Planning Grant Agreement

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 10th day of July 2019, commencing at 7:30PM, at which time and place the following members were:

- Present: Supervisor David Hagelberger
- Councilman Michael Fix
- Councilman David Krzemien
- Councilman Michael Plitt
- Absent: Councilwoman Barbara Krazmien

WHEREAS, the Town of Darien (Town) proposed to conduct a Sewer District No. 1 Wastewater Treatment Plant Evaluation to determine probable causes of SPDES discharge violations and evaluate remedial actions to bring the wastewater treatment facilities into compliance;

NOW ON A MOTION OF David Hagelberger, which has been duly seconded by David Krzemien;

THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town’s obligations under the Engineering Planning Grant Agreement.

Ayes 4
 Nays 0
 Absent/Abstain 1
 Quorum Present: x Yes ___ No
 Dated: July 10, 2019

[SEAL]

Alice Calmes, Clerk
 Town of Darien

RESOLUTION #95

Authorizes and Appropriates a Minimum of 20% Local Match as Required by the Wastewater Treatment Plant Evaluation

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 10th day of July 2019, commencing at 7:30PM, at which time and place the following members were:

- Present: Supervisor David Hagelberger
- Councilman Michael Fix
- Councilman David Krzemien
- Councilman Michael Plitt
- Absent: Councilwoman Barbara Krazmien

WHEREAS, the Town of Darien (Town) proposed to conduct a Sewer District No. 1 Wastewater Treatment Plant Evaluation to determine probable causes of SPDES discharge violations and evaluate remedial actions to bring the wastewater treatment facilities into compliance;

NOW ON A MOTION OF David Hagelberger, which has been duly seconded by Michael Fix;

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THEREFORE, BE IT RESOLVED, that the Town of Darien authorizes and appropriates a minimum of 20% local match as required by the Wastewater Treatment Plan Evaluation. Under the Engineering Planning Grant Program, this local match must be at least 20% of the grant award of \$30,000. The maximum local share appropriated subject to any changes agreed to by the Supervisor shall not exceed \$6,000. The total estimated maximum project cost is \$36,000. The Supervisor may increase this local match through the use of in-kind services without further approval from the Town.

Ayes 4
Nays 0
Absent/Abstain 1
Quorum Present: x Yes ___ No
Dated: July 10, 2019

[SEAL]

Alice Calmes, Clerk
Town of Darien

RESOLUTION # 96

SEQR Type II Determination Resolution

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 10th day of July 2019, commencing at 7:30PM, at which time and place the following members were:

| | | |
|----------|--------------|-------------------|
| Present: | Supervisor | David Hagelberger |
| | Councilman | Michael Fix |
| | Councilman | David Krzemien |
| | Councilman | Michael Plitt |
| Absent: | Councilwoman | Barbara Krazmien |

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of New York Code of Rules and Regulations under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision © of that section are not subject to environmental review under the Environmental Conservation Law;

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

THEREFORE, BE IT RESOLVED, that the Town of Darien hereby determines that the proposed Wastewater Treatment Plant Evaluation is a Type II action in accordance with 6 NYCRR Section 617.5(c)(18) and (21) which constitutes the “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soil studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action” and “conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” and is therefore not subject to review under 6 NYCRR Part 617.

Ayes 4
Nays 0
Absent/Abstain 1
Quorum Present: x Yes ___ No
Dated: July 10, 2019

[SEAL]

Alice Calmes, Clerk
Town of Darien

Notifications
Assessor Debbie Conti has elected to retire effective 7/18/19.

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Freed Maxick will review the 2018-year-end audit at our August meeting.

HIGHWAY – everything is in good working order; one mowing tractor had a fan blade go out, repair is already done. Finished the first cut and started the 2nd cutting; invoiced the DOT. Did 2 days of black top shimming and repairs – Griswold and McGregor. Winter recovery put back into CHIPS before they left for summer break. CHIPS is up to \$149,414.72 effective this year. The parking lot should be sealed again and painted; can get pricing for next month. The County widened Colby Road from Sumner to Route 20.

ZEO – report submitted

ASSESSOR – had one property owner file a Small Claims Assessment Review

BUILDING INSPECTOR – working with Darien Lake

ENGINEER – input and sampling at Sewer Plant is completed; reviewing the results and in contact with the manufacturer of the sewer plant.

TREATMENT PLANT – sampling is done - ammonia is good, but TSS & BOD struggling; have been talking to the contact at the DEC monthly

Councilman Krzemien meet with the seniors on June 29th to discuss town issues with the County related to the sales tax; they expressed willingness to help by writing letters if it is needed.

Councilman Fix would like copies of the sheets that were put into use at the transfer station; after reviewing the cost of operations at the transfer station, decided to raise the fees

RESOLUTION # 97

TRANSFER STATION FEES

Councilman Fix offered a resolution to adopt the revised transfer station pricing effective September 1, 2019; second by Councilman Krzemien. Revised fees list attached at end.

AYES 4 Fix, Krzemien, Plitt and Hagelberger NAYS 0

RESOLUTION #98

CASH REPORT

Councilman Fix offered a resolution to accept the Supervisor’s Cash Report dated June 30, 2019; second by Councilman Krzemien.

AYES 4 Fix, Krzemien, Plitt and Hagelberger NAYS 0

RESOLUTION #99

ABSTRACT

Councilman Fix offered a resolution to pay General Fund 184 – 209 & 126H – 131H for \$29,824.53; Highway 8 & 106H – 121H for \$63,057.93; and Sewer District #1 21 – 24 & 122H – 125H for \$9,838.84; second by Councilman Krzemien.

AYES 4 Fix, Krzemien, Plitt and Hagelberger NAYS 0

RESOLUTION #100

ADJOURN

At 8:13PM, Councilman Plitt offered a resolution to adjourn; second by Councilman Krzemien.

AYES 4 Plitt, Krzemien, Fix and Hagelberger NAYS 0

Alice E. Calmes, Town Clerk