

**REGULAR MEETING OF THE TOWN OF DARIEN**

**MARCH 4, 2020**

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 March 4, 2020

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

OTHERS PRESENT: Sue Galbraith-Alden Advertiser; Neil Marzolf – Highway Superintendent; Jerry 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 #30

**MEETING MINUTES**

Councilman Krzemien offered a resolution to accept the meeting minutes from the February 5, 2020 meeting as read; second by Councilman Benten.

AYES 3	Krzemien, Benten and Ferry	NAYS 0
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RESOLUTION #31

**PROSECUTOR CONTRACT**

Whereas, the Town Board of the Town of Darien wishes to extend the current contract dated April 5, 2017 with Attorney Robert Zickl to handle Town Prosecutor services on traffic matters withal provisions to remain in effect for the year 2020; brought forth by Supervisor Ferry and second by Councilman Krzemien.

AYES 3	Ferry, Krzemien and Benten	NAYS 0
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RESOLUTION #32

**PUBLIC HEARING FEE**

Supervisor Ferry offered a resolution to revise the Public Hearing fee from \$50.00 to \$60.00 due to the Affidavit fee filing increase; second by Councilman Krzemien.

AYES 3	Ferry, Krzemien and Benten	NAYS 0
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RESOLUTION #33

**CPP BILLS**

Supervisor Ferry offered a resolution to pay CPP (Payroll Company) due to bi-weekly billing before being on the Town’s monthly abstract; second by Councilman Benten.

AYES 3	Ferry, Benten and Krzemien	NAYS 0
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RESOLUTION #34

**TRAINING**

Supervisor Ferry offered a resolution to authorize town officials with planning or zoning responsibilities attendance at the “Spring 2020 Regional Local Government Workshop” sponsored by Genesee/Finger Lakes Regional Planning Council on May 15, 2020 location TBD and/or attendance at the One Region Forward “Municipal Officials Workshop” on March 20 at the Erie County Training Academy at reasonable expense in accordance with the Town’s Employee Handbook; second by Councilman Benten.

AYES 3	Ferry, Benten and Krzemien	NAYS 0
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RESOLUTION #35

**JD LOADER**

Supervisor Ferry offered a resolution to accept the sealed bid for one 624 K John Deere loader as advertised, bids opening was held on March 2, 2020 with one bid received from Lamb Farms for the sum of \$129,350.00 with all criteria met; second by Councilman Krzemien.

AYES 3      Ferry, Krzemien and Benten      NAYS 0

RESOLUTION #36

**JD LOADER**

Supervisor Ferry offered a resolution to authorize the Town Highway Superintendent to purchase one new 2020 John Deere Wheel Loader off NYS OGS PC67075Source well Contract 032515-JDC at a sum of \$176,923.70, with the sale of the old loader, this remains under the amount budgeted for a new loader; second by Councilman Krzemien.

AYES 3      Ferry, Krzemien and Benten      NAYS 0

RESOLUTION #37

**SHERIFF’S MOU**

Supervisor Ferry offered a resolution to authorize the Town Supervisor to sign the Memorandum of Understanding with the Genesee County Sheriff’s department; second by Councilman Benten.

AYES 3      Ferry, Benten and Krzemien      NAYS 0

Notifications

Letter from Genesee County Legislature read

The Town Supervisor has requested and received a 60-day extension on filing the Town of Darien’s AUD

HIGHWAY – At a conference and didn’t make it back in time.

ZEO – went over report; Comp Plan Committee has been meeting and Felipe, the Co. Planner, has been helping guide through the process. Supervisor Ferry read the letter of retirement from Jerry.

RESOLUTION #38

**RETIREMENT**

Supervisor Ferry offered a resolution to accept Jerome Yoder’s letter of retirement to be effective March 14, 2020; second by Councilman Krzemien.

AYES 3      Ferry, Krzemien and Benten      NAYS 0

RESOLUTION #39

**RE-APPOINTMENT**

Supervisor Ferry offered a resolution to re-appoint Mr. Yoder to the ZEO/CEO position effective March16, 2020; second by Councilman Benten.

AYES 3      Ferry, Benten and Yoder      NAYS 0

BUILDING INSPECTOR – monthly report submitted

ZBA – we recently lost a member of the ZBA, we will be advertising for that position

RESOLUTION #40

**ADVERTISE ZBA**

Supervisor Ferry offered a resolution to advertise for the open position on the ZBA and to do interviews on March 30, 2020; second by Councilman Krzemien.

AYES 3      Ferry, Krzemien and Benten      NAYS 0

ENGINEER – working on the Sewer Treatment Plant problems; waiting for the income survey

TAX COLLECTOR – report read

**RESOLUTION #41**

**TAX REPORT**

Supervisor Ferry offered a resolution to accept the Tax Collector’s Report; second by Councilman Benten.

AYES 3

Ferry, Benten and Krzemien

NAYS 0

TREATMENT PLANT – under the Consent Order. Have a proposal from a grants writer. At a meeting yesterday, we are now in a pilot program through Koester to help with cold weather ammonia. This pilot program is at no cost to us during the testing phase. This is a new process; hopefully this study will help keep the costs to rehab the plant lower.

Councilman Krzemien asked about the VLT that was discussed at the GAM meeting. Supervisor Ferry explained that the City and County appears to be losing money because the State is grabbing it; but it is not a done deal yet.

**RESOLUTION #42**

**CASH REPORT**

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

AYES 3

Krzemien, Benten and Ferry

NAYS 0

Supervisor Ferry reaffirmed the committee position to Mike Grant for the Holiday Lights & Flags

**RESOLUTION #43**

**ABSTRACT**

Councilman Krzemien offered a resolution to pay General Fund 31 – 64 for \$34,013.92; Highway 3 - 21 for \$12,514.82; and Sewer District #1 8 – 11 for \$759.10 in accordance with the abstract; second by Councilman Benten.

AYES 5

Krzemien, Benten and Ferry

NAYS 0

Comments from the Public:

Mr. Sullivan submitted a petition in 2018 for a decrease of speed along Reynolds Road. There are a lot of new families with about 2 dozen kids, a couple kids almost got hit. It’s not just regular traffic, it is also farm trucks. If you can’t put up reduced speed signs at least put in speed humps? Supervisor Ferry explained that the Town is not authorized to just put up signs. The Town can ask the Sheriff’s to run that route a little more often. Councilman Krzemien will address it with the Sheriff’s office and will personally stop over and talk to the farm. Mr. LeRoy asked if the Sheriff’s MOU was every year and if Sharrick is spelled with one or two “r”s, the new road signs put up only have one r.

**RESOLUTION #44**

**ADJOURN**

At 8:25PM, Councilman Krzemien offered a resolution to adjourn; second by Councilman Benten.

AYES 3

Krzemien, Benten and Ferry

NAYS 0

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Alice E. Calmes, Town Clerk