

## REGULAR MEETING OF THE TOWN OF DARIEN

AUGUST 6, 2025

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 6, 2025

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

OTHERS PRESENT: Neil Marzolf, Jr – Highway Superintendent; and members of the public

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

### RESOLUTION #91

#### MEETING MINUTES

Councilman Grant offered a resolution to waive the formal reading of the minutes in lieu of the posted minutes with no changes and accept the July 2, 2025, minutes as submitted; second by Councilman Krzemien.

AYES 4 Grant, Krzemien, Benten, and Ferry

NAYS 0

### RESOLUTION #92

#### TOWN OF DARIEN

#### RESOLUTION APPROVING THE ACQUISITION OF EASEMENTS BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW

Adopted: August 6, 2025

**WHEREAS**, the Town Board of the Town of Darien met at a regular board meeting at the Town Hall of the Town of Darien, located at 10569 Alleghany Road in Darien Center, New York on the 6<sup>th</sup> day of August, 2025, commencing at 7:30p.m. at which time and place the following members were:

Present:	Supervisor	Stephen Ferry, Jr.
	Councilman	David Krzemien
	Councilman	Timothy Benten
	Councilman	Michael Grant

Absent:	Councilman	Michael Fix
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**WHEREAS**, all Board Members, having due notice of said meeting, and pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

**WHEREAS**, The Monroe County Water Authority ("Authority") intends to provide public water service to 0 Sumner Road located in the Town of Darien; and

**WHEREAS**, the acquisition of the easement is necessary for operation, maintenance and the future replacement of the water main which will allow the Authority to continue to reliably provide potable water supply to the area; and

**WHEREAS**, the easement is located along the frontage of 0 Sumner Road (Tax Acct. No. 6.0-2-20.11), which is owned by Leslie Lyons and Ian Park; and

**WHEREAS**, §1096(6-a) of New York's Public Authorities Law requires the Authority to obtain prior approval of the Town Board for the above-referenced acquisition; and

**WHEREAS**, Monroe County Water Authority and the Town of Darien agree that this easement granted herein, shall be construed as to have been granted to both, the Monroe County Water Authority and the Town of Darien to the extent that the Town of Darien may in the future, assume operation of its water districts, any easement maintained or attended by the Monroe County Water Authority is hereby conferred, given and permitted to the Town of Darien, to the same extent they were granted to the Monroe County Water Authority; and

**NOW ON A MOTION OF** Stephen Ferry, Jr. which has been duly seconded by David Krzemien, not therefore, be it

**RESOLVED**, that the Town hereby approves of the Authority's acquisition of the frontage easement located at 0 Sumner Road in accordance with §1096(6-a) of the New York Public Authorities Law; and be it further

**RESOLVED**, Monroe County Water Authority and the Town of Darien agree that this easement granted herein, shall be construed as to have been granted to both, the Monroe County Water Authority and the Town of Darien to the extent that the Town of Darien may in the future, assume operation of its water districts, any easement maintained or attained by the Monroe County Water Authority are hereby conferred, given and permitted to the Town of Darien, to the same extent they were granted to the Monroe County Water Authority; and be it further

**RESOLVED**, that a copy of this resolution be provided to the Authority.

Ayes: 4

Nays: 0

Abstain: 0

Absent: 1

Quorum present: ☐Yes ☐No

Dated: August 6, 2025

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Alice Calmes, Town Clerk  
Town of Darien

[SEAL]

RESOLUTION #93

**TOWN OF DARIEN  
RESOLUTION**

**APPOINTMENT OF DEBORAH J. CONTI AS TOWN ASSESSOR**

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 6<sup>th</sup> day of August 2025, commencing at 7:30p.m., at which time and place the following members were:

Present:	Supervisor	Stephen Ferry, Jr.
	Councilman	David Krzemien
	Councilman	Timothy Benten
	Councilman	Michael Grant

Absent: Councilman Michael Fix

**WHEREAS**, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of time and place whereof was given as required by law, and

**WHEREAS**, All assessor terms expire September 30, 2025, in New York State, and

**WHEREAS**, The next term will begin October 1, 2025, and end September 30, 2031, and

**WHEREAS**, Deborah J. Conti is now the town assessor, and

**WHEREAS**, Deborah J. Conti has requested to be reappointed to the assessor position, and

**WHEREAS**, Deborah J. Conti's qualifications have previously been approved by New York State Department of Taxation and Finance, and

**NOW ON A MOTION OF** Stephen Ferry, Jr. which has been duly seconded by Timothy Benten,

**RESOLVED**, Deborah J. Conti is reappointed as Town of Darien Assessor for the term of office beginning October 1, 2025, and ending September 30, 2031.

**FURTHER RESOLVED** and direct the Town Clerk to notify New York State Department of Taxation and Finance of this appointment.

AYES: 4

NAYS: 0

Absent/Abstain: 1

Quorum Present: ☐Yes ☐No

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Alice Calmes, Town Clerk  
Town of Darien

Dated: August 6, 2025

[SEAL]

#### RESOLUTION #94

##### **ZONING CLERK**

Supervisor Ferry offered a resolution to appoint Greg Podsiadlo to the newly created Clerk position in the Zoning Office for the remainder of the year to assist with the update of the Darien Comprehensive Plan at an hourly rate of \$20/hour to a max expenditure of \$4108, as per budget; second by Councilman Grant.

AYES 4 Ferry, Grant, Krzemien, and Benten

NAYS 0

#### RESOLUTION #95

##### **NYS RETIREMENT**

Supervisor Ferry offered the following resolution which was duly seconded by Councilman Krzemien:

Be it resolved, that the Town of Darien/Location Code 30266 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Joseph Kowalik, Building Inspector, SWD 6, ROA result 5.95 days/month

AYES 4 Ferry, Krzemien, Grant, and Benten

NAYS 0

#### RESOLUTION # 96

##### **SEWER CREDIT**

Supervisor Ferry offered a resolution to authorize a credit of \$77.50 towards the next bill for Sewer Acct. # 099911, 10492 Bonnie Brae Dr, for 10,000 gallons of water that was used to fill a pool; second by Councilman Grant.

AYES 4 Ferry, Grant, Krzemien, and Benten

NAYS 0

## TOWN BOARD MEETING

AUGUST 6, 2025

### RESOLUTION # 97

#### SEWER CREDIT

Supervisor Ferry offered a resolution to authorize a credit of \$116.25 towards the next bill for Sewer Acct. # 099900, 10518 Bonnie Brae Dr, for 15,000 gallons of water that was used to fill a pool; second by Councilman Grant.

AYES 4      Ferry, Grant, Krzemien, and Benten

NAYS 0

#### Notifications

The 2026 Budget process will begin this month with Department input and special budget work sessions to be announced in September and October.

Next year's notification on sales tax distribution discussion.

HIGHWAY – we have one mowing tractor with PTO issues; LandPro thinks it's the ECU. Everything else is in good working order. Paved Richley from Simonds to the Alexander Townline. Repaired some driveway pipes & ditching. Have done a lot of work with other towns & the County. Will be paving Old Attica Road with the County soon. Almost done with the second pass of mowing and will probably do a 3<sup>rd</sup> pass.

ENGINEER – sewer project is rolling; need to push under the creek by Darien Lake and need to bore under the railroad.

TOWN CLERK – Offices will be closed for Labor Day on September 1, 2025.

TREATMENT PLANT – everything is good, numbers are good.

### RESOLUTION #98

#### iBACKUP

Supervisor Ferry offered a resolution to upgrade the iBackup account from 500 GB to 1000 GB which is \$199.99 per year, otherwise we pay \$2 per gigabyte per month in overages and we are currently over by 5 gigabytes; second by Councilman Krzemien.

AYES 4      Ferry, Krzemien, Grant, and Benten

NAYS 0

Councilman Grant asked if anyone received any feedback on Darien Lake. Councilman Krzemien said the mid-week concert had back ups, but they did get them in and out a little faster than usual.

Hwy Superintendent Marzolf said the Colby Road bridge work; the county has the box and wing walls in and Richley Road they found wing walls. Colby Road bridge is definitely going to be finished sooner than Richley Road.

Councilman Krzemien requested that Neil tell the Fire Department Thank You for sitting during all concerts at the hall, they have been answering a lot of calls even outside the area during them.

### RESOLUTION #99

#### SUPERVISOR CASH REPORT

Councilman Grant offered a resolution to accept the Supervisor's Cash report for the month of June 2025; second by Councilman Krzemien.

AYES 4      Grant, Krzemien, Benten and Ferry

NAYS 0

### RESOLUTION #100

#### ABSTRACT

Councilman Benten offered a resolution to pay the bills in accordance with the abstract; second by Councilman Krzemien. General Fund 173 – 203 for \$24,377.61; Highway Fund 83 – 95 for \$18,274.78; Sewer 47 – 55 for \$5,129.71; Capital Checking – Sewer 27 – 30 for \$123,353.72; and CDBG 2 for \$439,200.24.

AYES 4      Benten, Krzemien, Grant, and Ferry

NAYS 0

**TOWN BOARD MEETING****AUGUST 6, 2025**

Supervisor Ferry expressed gratitude to William Marchisin, an Eagle Scout in attendance for his Eagle Project on the south end of the Town Hall.

**Comments from the Public**

Jackson Waite with Boy Scout Troop #6650 spoke to the board to explain his idea for his Eagle Project at the Alleghany Road Cemetery. He would like to put in a rope fence, walkway, online there is a website for national grave database, and birdhouses. The board expressed their appreciation for the work he is planning to do, requested that he meet with the Highway Superintendent and the Town Clerk.

**RESOLUTION #101****ADJOURN**

At 7:58 pm, Councilman Benten offered a resolution to adjourn; second by Councilman Grant.

AYES 4

Benten, Grant, Krzemien, and Ferry

NAYS 0

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Alice E. Calmes, Town Clerk