

REGULAR MEETING OF THE TOWN OF DARIEN

DECEMBER 3, 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 December 3, 2025.

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

ABSENT:

OTHERS PRESENT: David Hardenbrook, CPL Engineer, and members of the public

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

RESOLUTION #141

MEETING MINUTES

Councilman Grant offered a resolution to accept the online version of the November 5, 2025, meeting minutes; second by Councilman Krzemien.

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

NAYS 0

RESOLUTION # 142

WAGES

Supervisor Ferry offered a resolution to authorize the Supervisor to implement the 2026 employee wage increase package included in the 2026 Adopted Budget, exempting Highway employees per contract; second by Councilman Fix.

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

NAYS 0

RESOLUTION #143

INSURANCE CONTRIBUTION

Supervisor Ferry offered a resolution to set the employee contribution rate for health insurance at 5% of the cost of their monthly premium to be added as a deduction on their paycheck starting with the first paycheck of 2026 for those eligible employees accepting the insurance and not covered by a collective bargaining agreement; second by Councilman Benten.

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

NAYS 0

RESOLUTION #144

FIXED ASSET

Supervisor Ferry offered a resolution to set the capitalization limit for the Fixed Asset System as \$6,500.00 for 2026; second by Councilman Krzemien.

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

NAYS 0

RESOLUTION #145

CAROLING

Supervisor Ferry offered a resolution to authorize Town Historian, Jeff Houseknecht to oversee caroling in the Town Hall on Sunday, December 14, 2025, at 7 p.m.; second by Councilman Grant.

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

NAYS 0

Notifications

Town Offices will be closed for the holidays on December 25th and January 1st.

The Town Board's Year-End meeting will be held at the Town Hall on Monday, December 29th at 7:30 PM.

The 2026 Town Board Organizational meeting is scheduled for January 7, 2026, at 7:30 PM.

The second payment of the Mortgage Tax payment for the sum of \$20,044.91 was received on November 14, 2025; and made the budgeted amount.

CPL Engineer, David Hardenbrook gave the following update for the sewer force main project. The last pay app for the project was 55% complete; the construction portion is actually farther along. Working with the Village, finalizing the plan to connect. On track, it just depends on how the winter is. Received the extension for the CDBG grant through July 31, 2026. Will have an extension of the contract with Morsch and will have a discussion on a date that makes sense. It should be operational in March or April. The blacktop may be in April or May. Supervisor Ferry announced that the generator at the sewer plant belongs to the sewer district, will discuss options for it in the future.

RESOLUTION # 146

**TOWN OF DARIEN
RESOLUTION REGARDING ASSESSOR COMPLAINT**

Adopted: December 3, 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 3rd day of December, 2025, commencing at 7:30 p.m. at which time and place the following members were:

<u>Present:</u>	Supervisor	<u>Stephen Ferry, Jr.</u>
	Council Member	<u>David Krzemien</u>
	Council Member	<u>Timothy Benten</u>
	Council Member	<u>Michael Fix</u>
	Council Member	<u>Michael Grant</u>
<u>Absent:</u>	_____	_____

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 the time and place whereof was given as required by law; and

WHEREAS, the Town of Darien received a complaint on or about September 24, 2025 from Mr. Paul Marquardt against the Town of Darien's Assessor, Ms. Deborah Conti for failure to assess economic obsolescence factors, and requested the Town investigate and direct the Assessor to fulfill her legal obligations; and

WHEREAS, on or about October 23, 2025, the Town received the signed Decision of the Hearing Officer in the Small Claims Assessment Review (SCAR) proceeding, which was filed with the Genesee County Clerk on July 30, 2025, following a hearing held on October 8, 2025, and in which hearing officer Sheila Chalifoux, Esq. determined that the assessed value of Mr. Marquardt's property should remain at \$288,600; and

WHEREAS, the Town Board of the Town of Darien believes it would be in the best interest of the Town of Darien to determine the complaint to be unfounded and closed; and

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

RESOLVED, the Town Board of the Town of Darien determines the complaint to be unfounded and

closed; and

RESOLVED, the Town Board directs the Town Clerk to send a certified copy of this resolution to the complainant, Mr. Paul Marquardt.

Ayes: 5

Nays: 0

Absent/Abstain: 0

Quorum Present: x Yes _____ No

Dated: December 3, 2025

[SEAL]

Alice Calmes, Clerk
Town of Darien

HIGHWAY – everything is in good working order. Did a few ditching projects. Cleaned up trees & brush around town. Took down the summer banners and put up the winter banners. Did some plowing & sanding.

TREATMENT PLANT – all things are good with the plant and samples.

PLANNING BOARD – doing work on the Comprehensive Plan update.

TOWN CLERK – The Town Clerk's office will be closed Saturday, December 8, 2025.

Councilman Grant - received a call back from a forestry consultant who will meet with Neil in a week or so to evaluate the property at the former transfer station.

Councilman Krzemien - Neil & the highway department have been doing a great job with maintaining the trees around the power lines.

RESOLUTION #147

SUPERVISOR CASH REPORT

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

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

NAYS 0

Councilman Fix – not much to report from the GAM meeting. There was a discussion on the national shortage of volunteer firefighters. A discussion was held about SMART Growth, and Supervisor Ferry tried to explain our position, and is supposed to write a letter to submit to GAM in February. There are 3-4 other towns in negotiations with their highway departments, and they are in the same situation. Talked about the solar going in north of the 90, expressed interest in having towns adopt the right to farm law.

RESOLUTION #148

ABSTRACT

Councilman Fix offered a resolution to pay the bills in accordance with the abstract; second by Councilman Krzemien. General Fund 284 – 310 for \$71,231.09; Highway Fund 145 – 153 for \$51,147.46; Sewer 79 – 85 for \$3,094.26; Capital Checking – Sewer 43 – 45 for \$204,697.42; and Water District #3 2 for \$12,387.50.

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

NAYS 0

Comments from the Public

Mr. Bruce LeRoy mentioned that his area is well served for snow plowing and explained that his sanitation pick-up, even with a senior discount, was \$511, yet his son in Marilla pays \$200/year on his taxes for the same service. Supervisor Ferry said that the board could try as a town to bid out and see how the prices go. Mr. LeRoy thanked the board for a good year.

TOWN BOARD MEETING

DECEMBER 3, 2025

RESOLUTION #149

ADJOURN

At 7:59 pm, Councilman Benten offered a resolution to adjourn; second by Councilman Krzemien.

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

NAYS 0

Alice E. Calmes, Town Clerk