

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, AUGUST 9, 2017
7:00 P.M.

- PRESENT: Mark Smith, Supervisor, Thomas Chupa, Edward Lulas, Diana Clabeaux, Dennis Ackley, Town Council, Ruth Bennett, Town Clerk, James Musacchio, Attorney, Brian Taber, Highway Superintendent, Frank Watson, CEO, Michelle & Mark Twihell, David Swift
- CALL TO ORDER: Supervisor Smith called the meeting to order at 7:00 p.m.
- MINUTES: Clerk Bennett gave each member of the Board a copy of the minutes to be read before the meeting. A motion to accept the minutes was made by Councilman Lulas, seconded by Councilman Clabeaux. A vote was taken on the motion, Carried.
- HIGHWAY: The Highway Department reported they did road patching, hauled gravel out of the Thatcher Brook trash rack and brought it to the shop, shared service with Town of Persia, took trucks in for inspection and had to do some costly repairs, helped another Town with road chipping and started the seconded round of road side mowing.
- We need to purchase a radiator for the ten wheeler-I got prices from Boyle \$1200, Olean Radiator \$1300, Hamburg Radiator \$575.
- Truck #7 it is a 2003 is going to need a new sander, the sander that is in it is 10 feet. Would like to have it put in the budget as it is getting old—I have no solid prices on it. The tractor needs new tires, it has about 1,000 hours on it, maybe replace, also would like to replace the 2014-F-450 truck before it loses its value, it has 32,000 miles on it we average between 4,000 and 5,000 miles per winter.
- COURT: The Court heard in July, 28 Vehicle & Traffic, 4 Town Law, and 9 Penal Law, 1 Small Claim a total of 42 cases, and collected \$3,361.00
- CLERK: Clerk Bennett told the Board about a Notice of Claim – Jordan McIntosh vs Pine Valley Central School District, Pine Valley Junior-Senior High School, Village of South Dayton, Town of Dayton, Cattaraugus County and Chautauqua County, Attorney Musacchio was contacted and is working on it
- The free rabies clinic is Tuesday, September 5, 2017 from 4:30-7:30 p.m.at the County DPW garage in Markham.
- Southern Tier West is hosting a Planning & Zoning Training on Wednesday, September 27, 2017 from 6-8 p.m. at Jamestown Community College.
- The 2017 hazardous household waste disposal day is Saturday, September 30, 2017 – need to register by September 22, 2017.
- BILLS: A motion was made by Councilman Lulas, seconded by Councilman Clabeaux to pay General Funds claims #138-153 in the amount of \$2,972.94 as set forth in Abstract #8, dated August 9, 2017, Highway Fund claims #81-97, in the amount of \$5,562.68 as set forth in Abstract #8, dated August 9, 2017. A vote taken on the motion, Carried.
- CODE ENFORCEMENT: I am picking up pieces on a demo permit, tracking a special use permit and other permits.
- The Court cases – one was dismissed that is now in compliance, on the Vanderbosch one we are trying to work on getting a garage put up and fit within

the side and back boundaries within sixty days- she needs to be ten feet from the side boundary and I think she has plenty of room from the rear boundary.

On the Washy case – he did not respond nor come to court, I will give it to the Sheriff to serve on him then we can be sure he has received the ticket.

I have issued one demo and 4 building permits and am working on a collapsed abandoned trailer the owner of whom lives in Hamburg, N.Y. I have also received a complaint about cows, chickens and goats in the road on Allen Street am working on that.

Supervisor Smith asked if Frank if he had a chances to get a building permit from Harvey Miller who is building a new barn, Dye does he have a permit for a tool shed, and mining permits do they need to be renewed—the DEC is slow about sending back approvals.

SUPERVISOR:

Supervisor Smith asked for a motion to approve the agreement with the South Dayton Fire District for ambulance service. A motion was made by Councilman Chupa, seconded by Councilman Clabeaux to approve the ambulance agreement. A vote was taken on the motion, Carried.

On September 12, 2017 is a primary election from noon to 9 p.m.

I met with Time Warner/Spectrum about cable service to the Town. They are going to install about 4.4 miles of cable thru the Town with about 95 homes some of whom may be interested in having cable service, roads involved would be Route 322, Route 62 and Maltbie Road.

I have a copy of the Franchise agreement and I will give a copy to the attorney Jim Musacchio to go over it. It is a 15 year term with 5% gross proceeds or get internet and phone service to this building or a combination of both. I was thinking of a combination of both with a 2% gross proceeds. They are looking at laying cable by April, 2018. A motion was made by Councilman Chupa, seconded by Councilman Lulas to go ahead with the combination pending the attorney's advice e on the franchise. A vote was taken on the motion, Carried.

General Code Publishers contacted Ruth about updating our Code and inserting the new Local Laws at a cost of \$2530. Attorney Musacchio asked about the ECode and the Clerk said she would check to see if that was included in the price. The matter was tabled until the next meeting.

The Federal Government is gearing up to do a Census in 2020, I read thru this and all the regulations you can allow to be seen is a nightmare.

ATTORNEY:

I will get a copy of Persia and Collins solar code for you to look at and in the meantime we will do a Local Law and have a public hearing on a moratorium in September.

PUBLIC:

Mark Twitchell discussed the windmills and placing of a farm here in the Town. Supervisor Smith responded that there really is no place for them except on Peck Hill and they have to be so many feet from any other tower that may already be there.

The Supervisor and Town Clerk's reports for July, 2017 were received by the Board.

ADJOURN:

A motion to adjourn was made by Councilman Chupa, seconded by Councilman Ackley, at 7:57 p.m., Carried. The next meeting will be September 13, 2017 at 7 p.m.

