

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, JULY 11, 2018
7:00 P.M.

PRESENT: Angie Mardino-Miller, Supervisor, Thomas Chupa, Dennis Ackley, Bruce Drajem, Town Council, Ruth Bennett, Town Clerk, Dan Gabel, Jason Johnson, Ken & Kathy Gens, John Mussell, Linda Till, Arnold Andolsek, Jo Ward, Observer, John Grennell, Town Attorney, Kate Harrington, Assessor, Ray Troutman, Patrick MacDonald, Tim Forster, Jeff & Josephine Beightol, J David Swift, John Gullo, Attorney for Mussell's, Absent: Diana Clabeaux

CALL TO ORDER: Supervisor Mardino-Miller called the meeting to order at 7:00 p.m. All stood and said the Pledge to the Flag.

Supervisor Mardino-Miller thanked those who came to the meeting on Tuesday, July 10th regarding finances, budgeting and proper allocation of funds. We made more forward progress in understanding of proper budgeting and finances than we have in the past six months. Also further opened communications between the highway superintendent and our bookkeepers. Brian will receive information from the bookkeeper each month and he agreed to send them the actual time sheets. I also believe there is a clearer understanding that the budgeting for 2018 was done inappropriately and now this administration has to live within that budget. There is also great concern that the highway superintendent will run out of monies before the end of the year.

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 Ackley, seconded by Councilman Chupa. A vote was taken on the motion, Carried.

A motion was made by Councilman Chupa, seconded by Councilman Drajem to transfer \$375 from A1410.4 to A1430.1, \$10 from B1990.4 to B9050.8, \$11 B1990.4 to B9050.8, and \$2,911 from DA5130.2 to DA5130.4. A vote was taken on the motion, Carried.

HIGHWAY: The Highway Department reported they did their first round of roadside mowing, finished ditching on Townline Road getting it ready to do a CHIPS project. We worked with the Town of Persia cleaning out the trash rack, we received material that will need to be processed into useable material in return, did some blacktop patching, fixed a driveway pipe that was washed out in the winter thaw, did some repairs on the 2015 F-450 as it is out of warranty with 42,176 miles on it, it might be a good idea for the Board to think about trading it in while it will still bring a good price. Attended the highway school in Ithaca, sent Jason Johnson to an Air Brake certification class which will benefit the highway department, I turned in information about a salt storage facility, wondered if we are pursuing it or not.

COURT: The Court heard in June, 20 Vehicle & Traffic, 3 Town Law, 7 Penal Law, 1 Small Claim 4 Environmental Conservation Law, a total of 35 cases, and collected \$3,375.00.

CLERK: Clerk read the dog control officer inspection report, read a letter from Eustolia Santana asking to be considered for a position on the Board of Assessment review.

The Clerk also asked the Board to consider changing the phone service from Verizon Select Services to Verizon Business for long distance and put our regular (local) Verizon bill on the NYS CTS rate which would cut our line rate by \$11.47 per line a month. A motion was made by Councilman Chupa, seconded by Councilman Ackley to change the phone service. A vote was taken on the motion, Carried.

BILLS: A motion was made by Councilman Ackley, seconded by Councilman Ackley to

pay General Funds claims #124-147 in the amount of \$12,723.06 as set forth in Abstract #7, dated July 11, 2018, Highway Fund claims #90-102, in the amount of \$76,327.10 as set forth in Abstract #7 dated July 11, 2018. A vote was taken on the motion, Carried.

CEO: Frank Watson, CEO reported that he is working on several permits, one variance and two court appearances for non-compliance on the 19th, also reported that he gave the Board the results of the safety inspection report.

ASSESSOR: Kate Harrington reported that as of July 1st the final assessment roll for 2019 has been set. They have started taking photos of properties, things are going well and are starting to look right.

The safe from the Assessor's office went to Franklinville and her husband got into it and found three boxes of stuff and a four drawer filing cabinet full of records.

The Town Clerk report for June, 2018 were received by the Board.

SUPERVISOR: Supervisor Mardino-Miller called on John Gullo attorney for John Mussell regarding Coon Road.

PUBLIC: Mr. Gullo, Attorney for Mr. Mussell discussed Coon Road, about taking out the eight trees and grind out the stumps would like Town to grant permission to allow Mr. Mussell to put in an access a little larger than a driveway for a limited amount of time. \$150 minimum will be put into Town Attorney's Grennell's trust fund for one year for signage if desired by the Town at the end of this time the \$150 or any remaining amount will be returned to his client.

Town Attorney Grennell spoke that he sees nothing wrong with this proposal and the Town would benefit from the sale of the wood, this is not a proposal to maintain or extend the road.

CEO Watson expressed concern about the liability to the Town and what will happen at the end of this period of time, this proposal should include insurance and a hold harmless agreement to the Town and what and who will have the right to ingress and regress at the end of this proposal—we don't need another problem such as we have in another part of Town.

A motion was made by Councilman Chupa, seconded by Councilman Ackley to enter into a proposal with John Mussell and Coon Road. A vote was taken on the motion, Carried.

Patrick MacDonald addressed the Board about his address stating it is 12039 Markham Road not Markham-Cottage Road. He also stated if it isn't straightened out by the next Board meeting he will sue the Town.

Jason Johnson asked the Board if a decision had been made regarding the minimum number of hours they will be paid for a call in.

EXECUTIVE SESSION: A motion by Councilman Chupa seconded by Councilman Ackley to go into executive session regarding the minimum number of hours the employees will be paid at 7:55 p.m. The Board returned at 8:05 on a motion by Councilman Chupa, seconded by Councilman Ackley. A vote was taken on the motion, Carried. The Board unanimously agreed a minimum number of hours for call ins need to be set, but we need to have Highway Superintendent here to discuss this.

Kathy Gens asked about the accidents. Supervisor Mardino-Miller replied that they have received the police report, however, the other drivers' insurance company is trying to get a written report as is the Town Board, however, to date neither has received anything regarding this accident from the Highway Superintendent.

She also asked about the information from the previous Supervisor, if it was ever

turned over to the Town. Supervisor Mardino-Miller stated that he had two personal business and one Town business on there and he responded to the Town Attorney that he will not give it to the Town. Mrs. Gens then asked about calling the Comptroller's Office, Supervisor Mardino-Miller said they have called several times, maybe if the public started to call them they would come.

Highway Superintendent Taber left a note about what the Board wants to do with the dump box. A motion was made by Councilman Chupa, seconded by Councilman Ackley to get rid of the dump box. A vote was taken on the motion, Carried.

Peggy Sheldon asked again about the water and the mosquitos at her house on Bentley Road. Jason Johnson told the Board they had a rack on the culvert pipe which needs to be cleaned out daily due to the beavers and muskrats trying to get in the pipe to plug it up.

Ray Troutman discussed his building permit and variance for a building he wants to build so CEO Watson gave the Board the history on this permit.

ADJOURN:

A motion to adjourn was made by Councilman Chupa, seconded by Councilman Ackley, at 8:45 p.m., Carried. The next meeting will be August 8, 2018 at 7 p.m.

Respectively Submitted,

Ruth Bennett