

REGULAR MEETING  
TOWN OF DAYTON  
WEDNESDAY, AUGUST 8, 2018  
7:00 P.M.

- PRESENT: Angie Mardino-Miller, Supervisor, Thomas Chupa, Dennis Ackley, Bruce Drajem, Diana Clabeaux, Town Council, Ruth Bennett, Town Clerk, Dan Gabel, Jason Johnson, John Mussell, Linda Till, Arnold Andolsek, Jo Ward, Observer, John Grennell, Town Attorney, Kate Harrington, Assessor, Ray Troutman, Patrick MacDonald, Tim & Janice Forster, John Gullo, Attorney for Mussell's, Stephen & Stacey Raiport, Susan Taber, Robert Astry, Robert Wright, Dane & Barbara Scott, Peggy Sheldon & son John, Nancy Hintz, Chuck Markham, Dustin Stark, Jeff Stoltenberg, Brian Brunswick, Pete Stoltenberg, Annette Puleff, Moneca Guhr, Eustola Santana, David Kohler, Absent: Brian Taber
- 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.
- 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 Drajem. A vote was taken on the motion, Carried.
- A motion was made by Councilman Drajem, seconded by Councilman Chupa to transfer \$3,000 from A1220.4 to A1320.4, \$1,000 from A1910.4 to A1320.4, \$5,053 from A1355.1 to A1355.4, \$4 from B1990.4 to B9050.8, \$5,000 from DA9950.9 to DA5130.4, \$2,000 from DA5130.2 to DA5130.4 and \$1,590 from DA5142.1 to DA5142.12. We also resolve to decrease the Highway Fund Outside Village 2018 expenditure budget by \$4,861 due to less CHIPS monies available (\$12,115.82 Extreme Winter Recovery plus \$63,022.85 – 2018-2019 apportionment). This will decrease accounts DB3501 CHIPS and DB5112.4 Capital Outlay. A vote was taken on the motion, Carried.
- HIGHWAY: The Highway Department reported they got ready for our CHIPS project, we put down about 12,000 gallons of oil then worked on some of the gravel road grading and stoning them, we have been painting plow wings, and checking them over, cutting weeds around signs and bridges, do some repairs to the big trucks to get them ready for inspection, also helped a neighboring Town cut brush.
- CLERK: Clerk read a letter of resignation from Eugene Vanderbosch. There will be a Notary Public Training on Tuesday, September 25, 2018 from 9 a.m. to noon at Southern Tier West, they are also sponsoring Planning/Zoning Training on NYSERDA'S Model Solar Energy Local Law on Thursday, October 25, 2018 at Jamestown Community College in Jamestown from 6:30 to 8:30 p.m.
- There will be a free rabies clinic on Thursday, September 6, 2018 at the Markham County Highway garage at 4:30-7:30 p.m.
- We have received notice from NYS Department of Taxation & Finance that the Final State Equalization Rate is 100%.
- BILLS: A motion was made by Councilman Chupa, seconded by Councilman Drajem to pay General Funds claims #148-171 in the amount of \$12,832.84 as set forth in Abstract #8, dated August 8, 2018, Highway Fund claims #103-120, in the amount of \$46,354.23 as set forth in Abstract #8 dated August 8, 2018. A vote was taken on the motion, Carried.
- ASSESSOR: Kate Harrington reported that all sales that occurred between March 1 and July 1, 2018 have now been completed and are in the Real Property System.
- There are new requirements for the Enhanced STAR exemption. Property owners are now required to submit their renewal or new Enhanced STAR application and an Income Verification Program (IVP) admittance form in order to receive the Enhanced STAR exemption. All Enhanced STAR recipients will be

required to participate in the Income Verification Program going forward.

New paperwork for the Enhanced STAR Exemption is now available to be filled out and submitted for the 2019-2020 school year. Applicants can find the paperwork at [www.tax.ny.gov](http://www.tax.ny.gov) or can simply come into the office, fill out and submit the application all at one. Any exemption can be submitted to the office in Dayton or the Real Property office in Little Valley.

SUPERVISOR:

Supervisorardino-Miller discussed the agreement for the South Dayton ambulance protection contract. A motion was made by Councilman Clabeaux, seconded by Councilman Chupa to accept the contract. A vote was taken on the motion, Carried.

Supervisorardino-Miller advised the Board that the water pump was giving out and it had been repaired since the last Board meeting. We have an estimate from Bob Astry for pump, pipe, tank, valves, adaptor and labor for \$1,429. A motion was made by Councilman Chupa, seconded by Councilman Drajem to buy new pump and fittings with labor. A vote was taken on the motion, Carried. After the vote was taken, the Board decided to get a couple more quotes for the pump and accessories.

PUBLIC:

Mr. Gullo, Attorney for Mr. Mussell discussed Coon Road agreement. A motion was made by Councilman Ackley, seconded by Councilman Drajem to approve the agreement as presented to the Board. A vote was taken on the motion, Carried.

Discussion ensued about the way things were written in the paper with names, and the Supervisor stated she had nothing to do with what was written in the paper. The Observer reporter Jo Ward stated that she had written the articles and had talked with Barb Scott and had the information straightened out.

Robert Wright discussed the accident and his side of what had happened and asked that the Town pay his \$500 deductible as the insurance company totaled his vehicle and he had to buy it back and get it repaired.

Jason Johnson also asked if a decision was made about the number of hours they would be paid for a call in.

EXECUTIVE SESSION:

A motion by Councilman Ackley seconded by Councilman Drajem to go into executive session regarding the payment of Mr. Wright's deductible, and the minimum number of hours an employee will get paid for in the case of being called in after hours at 7:30 p.m. The Board returned at 7:38 p.m. on a motion by Councilman Chupa, seconded by Councilman Drajem. The Supervisor said that it was decided to let the insurance companies work it out and the Town will abide with what they come up with.

A motion was made by Councilman Chupa, seconded by Councilman Clabeaux to pay the highway employees a minimum of three (3) hours if they are called in even if they only work one hour. A vote was taken on the motion, Carried.

Patrick MacDonald again asked about his address and the Supervisor told him that she would look into it.

Jason Johnson asked the Board about buying a jack and jack stands and the Board told him that the highway superintendent could pay for them out of his budget. He then asked about the base pay for a part time and full time workers. The Board told him that the base pay for full time is \$14.25 per hour and for part time \$10.40 per hour with a CDL.

Peggy Sheldon asked again about the water and the mosquitos at her house on Bentley Road. The Supervisor told the Board and Peggy that the highway department has 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. She said she would look into it to see what could be done.

Sue Taber asked why she was getting a letter to turn in her Code Book. She was told that there was no Planning Board as she was the only one left on the Board and you can't have a meeting with one person when there should be five people. Stacy and Stephen Raiport said they would be on the Planning Board. A motion was made by Councilman Chupa, seconded by Councilman Drajem to appoint Stacy and Stephen Raiport to the Planning Board. A vote was taken on the motion, Carried.

Eustola Santana said she would be on the Planning Board. A motion was made by Councilman Chupa, seconded by Councilman Clabeaux to appoint Eustola Santana to the Planning Board. A vote was taken on the motion, Carried.

A motion was made by Councilman Chupa, seconded by Councilman Drajem to reappoint Sue Taber to the Planning Board. A vote was taken on the motion, Carried.

The Town Clerk report for July, 2018 was received by the Board.

ADJOURN:

A motion to adjourn was made by Councilman Chupa, seconded by Councilman Ackley, at 8:20 p.m., Carried. The next meeting will be September 12, 2018 at 7 p.m.

Respectively Submitted,

Ruth Bennett