

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, MAY 9, 2018
7:00 P.M.

- PRESENT: Angie Mardino-Miller, Supervisor, Thomas Chupa, Dennis Ackley, Bruce Drajem, Town Council, Ruth Bennett, Town Clerk, Tim & Janice Forster, Dan Gabel, Rose Gagliano, Dan Weaver, Eustolia Santana, Brian Taber, Highway Superintendent, Robert & Ada Fisher, Laura Napoli, Ray Troutman, Andrew Kuczhowski, Jayson & Erin Griffith, John Mussell, Jared Kramer, Diana Clabeaux, John Grennell, Absent
- 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 Chupa, seconded by Councilman Drajem. A vote was taken on the motion, Carried.
- HIGHWAY: The Highway Department reported they plowed and sanded roads seven days in April, cut brush back on Townline Road, we will be working on that road most of the summer getting it ready for the CHIPS project, cleaned up grounds at the Town building, cleaned up trees that blew down in a wind storm, most of the plow equipment is off and we are getting it cleaned up and painted, started grading dirt roads, helped a neighboring Town with some brush chipping. Jayson Johnson has worked for the Town for one year, I'm suggesting the Board consider giving him a raise. I have submitted a travel authorization to attend highway school in Ithaca in June.
- COURT: The Court heard in March, 5 Vehicle & Traffic, 1 Town Law, 1 Penal Law, 1 Civil case, a total of 8 cases, and collected \$310.00.
- CLERK: was not called on for a report
- BILLS: A motion was made by Councilman Drajem, seconded by Councilman Ackley to pay General Funds claims #74-94 in the amount of \$3,154.35 as set forth in Abstract #5, dated May 9, 2018, Highway Fund claims #61-71, in the amount of \$25,096.70 as set forth in Abstract #5 dated May 9, 2018. A vote was taken on the motion, Carried.
- SUPERVISOR: Supervisor Mardino-Miller asked Laura from Bahgat & Laurito-Bahgat from Fredonia to come to give us all a clearer understanding of our Town's Annual financial report. For those who don't know, as of January 1, 2018 I brought this team of CPA's and financial experts to help us with financial transparency and accountability for the taxpayers of the Town of Dayton.
- At the end of every fiscal year each Town in New York State is required to submit an annual update document to the State Comptroller who ensures that State and Local governments use taxpayer money effectively and efficiently to promote the common good. As you may know that in January, Barb Scott who was Mark Smith's bookkeeper, agreed to complete that report for \$1200.00 to complete the report and the Board agreed due to the fact that Barb Scott had done the bookkeeping for 2017. Once we received that report, I had some concerns and asked Laura if she would be willing to come and use her expertise to speak to the outcome of that report and what that means to the Town.
- LAURA,CPA: Laura stated that she took a look at the "AUD" and the fund balances at the end of the year in the General Townwide for 2017 was a negative \$17,924 and the Highway Townwide for 2017 was a negative \$85,136. Posted in the General Part-Town there was a balance of \$99,524 and in the Highway Part-Town a balance of \$82,084. We can't move part-town to Town-wide, we can reallocate the sales

tax to take care of the deficit in the Town-wide funds. In 2016 there was a balance in the general Town-wide of \$43,000, In 2018 money was taken from the fund balance for something and there was no balance. We will try to keep the Town under the Tax Cap and the taxes the same and also make sure you have a reserve fund in both the general and highway. You can only purchase equipment out of Town-wide not out of Part-Town. She went on to discuss why she asks the Board to transfer funds from one fund to another, and spent about forty minutes answering taxpayers questions.

SUPERVISOR:

A motion was made by Councilman Chupa, seconded by Councilman Drajem to pay a base pay of \$14.25 for the two highway employees that need to be brought up to that amount for their base pay. A vote was taken on the motion, Carried.

A motion was made by Councilman Drajem, seconded by Councilman Ackley to pay \$.75 per hour for all the hours they work to those employees who do not take the health insurance. A vote was taken on the motion, Carried.

The overtime pay gets calculated 1 ½ times on the base pay.

A motion was made by Councilman Chupa, seconded by Councilman Drajem to give the Highway Superintendent Deputy \$1.00 per hour. A vote was taken on the motion, Carried.

A motion was made by Councilman Chupa, seconded by Councilman Drajem to fix Jason Johnson's pay from the last payroll as he wasn't paid for the insurance buyout. A vote was taken on the motion, Carried.

Ian Kickbush's pay will be \$14.25 per hour plus \$.75 per hour for insurance buyout.

Jayson Griffith's pay will be \$15.00 per hour plus \$1.00 per hour for Deputy Highway Superintendent plus \$.75 per hour for insurance buyout

Jason Johnson's pay will be \$14.25 per hour plus \$.75 per hour for insurance buyout.

All payroll changes to take effect on May 10, 2018

CEO:

Frank Watson, CEO reported that he issued two building permits, one special use permit. The special use request for mining was approved by the Zoning Board of Appeals. I am still working on the semi-trailers and a variance for a new garage with solar panels. I have notified that the safety inspection will be on May 22, 2018, am also checking on properties regarding improper, unsafe management and automobiles.

I understand that Highway Superintendent Taber said that Coon Road is abandoned. Mr. Taber said he is going to step aside and let the lawyer deal with it.

Supervisor Mardino-Miller stated that the attorney could not be here tonight as his wife was rushed to the hospital today.

Coon Road situation was discussed and the Supervisor said that we were all trying to help the land owner but the attorney isn't here tonight so the Supervisor can't speak to what the next step is.

The land owner has obtained a quote to remove the trees that are in the road extension for \$1,150.00 and a certificate of liability insurance which will be given to the attorney, the attorney said we need three quotes. We have to cover the Town and each property owner may have to hire an attorney to get everyone on

the same page the Supervisor stated.

The Supervisor and Town Clerk reports for April, 2018 were received by the Board.

PUBLIC:

Dan Gabel expressed concern that CEO Watson said he would not enforce if he uncovered a problem. If the problems that he has uncovered are not dealt with it could be a liability to the Town. Supervisor Mardino-Miller stated that when he is thru with his inspection Mr. Watson will present his findings to the Town Board and the Town Board will make the decision to follow thru. There will not be an inspection with some kind of default that does not get fixed.

Eustolia Santana asked for an update on the cable. Supervisor Mardino-Miller said she had met with Spectrum and they were to get her a map to cover the whole Town not just part of the Town, and a street report and she is still waiting for that report.

Ray Troutman stated that he got a letter from the County Assessor to raise his assessment. He wanted to know how his assessment could go up with the rat infested place across the road. The Board told him to come on Friday to see the assessors or go thru the grievance process.

Peggy Sheldon wanted to know why for the last three years the Town has been draining water across the road; the mosquitos are so bad the children can't play outside, why can it be drained to the creek. Mr. Taber responded that the water flows that way, he can't change the course of the creek. She also complained about the property across the road who have now put up tents in the yard.

EXECUTIVE
SESSION:

A motion was made by Councilman Ackley, and Councilman Chupa to go into executive session for a personnel matter with Highway Superintendent Brian Taber at 8:08 p.m. A vote was taken on the motion, Carried. A motion was made by Councilman Ackley, seconded by Councilman Drajem to return to the meeting at 8:20 p.m. with the Supervisor stating it was a personnel matter and the situation was resolved.

ADJOURN:

A motion to adjourn was made by Supervisor Mardino-Miller, seconded by Councilman Chupa, at 8:35 p.m., Carried. The next meeting will be June 13, 2018 at 7 p.m.

Respectively Submitted,

Ruth Bennett