

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, MARCH 11, 2020
7:00 P.M.

- PRESENT: Angie Mardino-Miller, Supervisor, Bruce Drajem, Dennis Ackley, Paul Luce, Town Council, Ruth Bennett, Town Clerk, Tom Chupa, Highway Superintendent, Frank Watson, CEO, Arnold Andolsek, Tina Chupa, Chris Rupp, Essie Santana, Mike Ortiz, Dane Scott, Phil Pagett, Nancy Hintz, Janice & Don Bartlett, Absent: Jake Hansen-Ivett
- CALL TO ORDER: Supervisor Mardino-Miller called the meeting to order at 7:10 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 as corrected was made by Councilman Ackley, seconded by Councilman Drajem. A vote was taken on the motion, Carried.
- LOCAL LAW #1 A motion was made by Dennis Ackley, seconded by Paul Luce to amend Chapter 167 section I to change from Residential/Agricultural District to Agriculture/Forestry and Industrial District to allow for large or utility scale solar energy systems to be permitted through the issuance of special use permit in addition to the requirements set forth in this law. A roll call vote was taken on the motion, Ackley-aye, Luce-aye, Mardino-Miller-aye, Hansen-Ivett-aye, Drajem-aye.
- HIGHWAY: Highway Superintendent Chupa reported that he needs to make the Town Board aware of the multiple truck issues we have. We have spent to date \$26,697 on the trucks and equipment. The Town should be thankful for the talent that is in house, we have done the majority of the work, the highway employees are to be applauded for sure.
- During the month of February we have spent \$1,806 on the F450, it still needs \$4,500 for exhaust particular filter and sensors, we have spent \$12,100 for injectors, rear hub, turbo, steering box, and rear suspension on Truck 4 the 10 wheeler, on the single axel Truck 5 we have spent \$7,567 and it still has ongoing electrical issues, and the single axel Truck 7 we have spent \$2,200 and it also has ongoing electrical issues, to date we have spent \$1,327 on the loader. It has come from a rust bucket to looking like a brand new loader, it has been painted and the bucket fixed. I don't know yet what it is going to cost to fix the excavator and the backhoe. We have only used it for cutting brush—the mower starts then quits, the backhoe has a leaking transmission. We are still spending a great deal of time repairing equipment.
- We spent five days filling holes with Cold Patch, all the holes in the Town have been filled with cold patch at least twice, with holes popping out every day, we hauled 700 ton of sand and mixed it with salt, we have patched White Road again and cut brush and trees when we had a break in the weather. We also swept all the intersections in the Town.
- We have bought a roller from the County for \$6,000, I would like to put the old one up for sale on the auction. A motion was made by Councilman Ackley, to put the roller up for sale. A vote was taken on the motion, Carried.
- A soon as it dries up a little more in three or four days, we will grade White Road and Potato Hill.
- PUBLIC: Don Bartlett said he saw the comments about the missing tools and stuff, how can that happen. It is kind of upsetting to the taxpayers. Supervisor Mardino-Miller responded that "I'm going on 27 months here and for the first two months that I was here there is nobody at a Board that did not know that the previous Superintendent said that no one was allowed back there, he let Councilman Drajem back there, maybe he can verify that there was nothing back

there. We have the same guys that Brian hired that are still there today, the only thing that we know for certain is that when Tom Chupa turned that key we have three working witnesses he didn't even have a shovel."

Jan Bartlett asked if we have any recourse to call him in here to ask about this stuff? Attorney John Grennell responded that we could certainly ask him to come in. Jan responded that I can't believe that the highway department doesn't even have shovels, I think it needs to be addressed. I think there was some chicanery before that left a lot in question and I think it does a real disservice, I think there is a lot of animus of his leaving that it is possible and I would like to see him drawn in and questioned whether or not what happened to this stuff. She then asked Tom if he had any receipts for anything purchased in the past, Tom responded, no records. Supervisorardino-Miller also responded that Councilman Drajem and Councilman Ackley was on the Board and he was repeatedly asked for an inventory list and those kind of items were never— Councilman Ackley interjected that all that was given was a list of the big ticket stuff that was inventoried, it was never properly inventoried there was no VIN numbers and the small stuff that Tom is talking about he didn't inventory shovels or wrenches, Mardino-Miller interjected \$400 impact wrenches. Jan said there has to be some explanation, if it was here before, where did it go. Mardino-Miller said I can't answer that. I can only answer because, the first week that Tom was here I walked back there and he walked me around and some of the things I understood and some of the things I didn't understand and he showed me what was not there. I clearly seen that there was no tools there, I know there was less tools out there than is in my husband's garage. I can't answer for it and I don't know what the answer to it is, because we don't have receipts for it, I don't know what the answer is. Jan responded that she would like answers, it's going to cost us money to put this stuff back.

Jan asked Tom who was driving the truck when you were filling potholes on White Road? Tom responded that he thinks Larry was. I have to commend that whenever they came up to fill in those potholes he jumped out of the truck and was helping the guys. Tom responded that he was there also every time we were there. All we have done is parts except to send one truck out because we don't have a computer to plug it into, so in my opinion the tools have paid for themselves as we have done all the truck work in house. Jan responded, I can't believe you stepped in a situation like that—that's really crappy. I think we need to call him in and ask where all this stuff went. Councilman Ackley responded do you think you're going to get an answer, she responded probably not. Why did he get away with this all this time, Councilman Ackley responded elections have consequences. Jan said did he have that much power over all you guys, Councilman Ackley responded we'd ask questions and we'd get stonewalled in the answer any body that came to a meeting would know that because he would tell us it was none of our business.

Councilman Luce asked Tom if we had an equipment list now, Tom responded oh yes, every tool that is in the shop is documented, Councilman Luce so were maintaining an inventory so that in case something happens we can submit it for insurance. There is still some things to be inventoried but we are gaining, what with all the repairs we have had to do. Any of the Board, any of the public wants to come in they are more than welcome.

CLERK:

Clerk Bennett reported the Court heard 14 Vehicle and Traffic, 6 Town Law, 1 Civil Law for a total of 21 cases and collected \$810.00.

There will be a free rabies clinic on Saturday, May 2, 2020 from 9 a.m. to noon at the County DPW garage in Little Valley.

DCO Hagner's report for September thru December- issued 20 tickets for expired license, issued a warning for two shepherds on Allen Street in Dayton to get a dog license, received a report of a lost Cocker-Pomeranian from Memorial Drive, not found, and another lost mastiff on Mosher Rd that was found, a report of a stray found on Cottage-Nashville Rd. claimed by owner. I will be away from Jan.

31st to Feb. 11th.

ASSESSOR: Didn't receive the report in time for the meeting.

ATTORNEY: Attorney Grennell apprised the Board about the cable which is still on track, however, they still need documents emailed to Spectrum. They will be doing an internal review and then it goes to the Public Service Commission.

SUPERVISOR: Supervisor Angie Mardino-Miller asked Mike Ortiz from Shield Financial LLC to speak. He told the Board that he realized that the Town insurance has been renewed for this year, however, he requested permission to review the insurance policy the Town has and see what kind of rate that he could offer the Town. The Board agreed that he could review the policy.

The Town Board did a financial audit of the Supervisor books. A motion was made by Councilman Drajem, seconded by Councilman Luce to accept the audit. A roll call vote was taken on the motion, Drajem-aye, Luce-aye, Ackley-aye, Mardino-Miller abstained.

The Board then discussed the roofs, we need to have parameters and what specs is needed for the roof before it can be advertised.

Councilman Ackley asked about a Deputy Town Clerk, the Town Clerk responded that she appointed Lisa Rizzo. A motion was made by Councilman Ackley, seconded by Councilman Drajem to accept the appointment, a vote was taken on the motion, Carried.

BILLS: A motion was made by Councilman Drajem, seconded by Councilman Luce to pay General Funds claims #33-49 in the amount of \$103,879.63 as set forth in Abstract #3, dated March, 2020, Highway Fund claims #32-49, in the amount of \$28,418.87 as set forth in Abstract #3 dated March 11, 2020. A vote was taken on the motion, Carried.

The Town Clerk and Supervisor reports for February, 2020 was received by the Board.

ADJOURN: A motion to adjourn was made by Councilman Drajem, seconded by Councilman Luce, at 7:43 p.m., Carried. The next meeting will be April 8, 2020 at 7 p.m.

Respectively submitted,

Ruth Bennett, Town Clerk

