

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, JANUARY 13, 2016
7:00 P.M.

- PRESENT: Mark Smith, Supervisor, Diana Clabeaux, Thomas Chupa, Dennis Ackley, Town Council, Ruth Bennett, Town Clerk, James Musacchio, Attorney, Brian Taber, Highway Superintendent, Absent: Edward Lulas
- 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 Clabeaux, seconded by Councilman Chupa. A vote was taken on the motion, Carried.
- HIGHWAY: The Highway Department reported they plowed and sanded roads four days, cleaned ditches, cut brush. The new overhead doors have been installed and has made a big difference in the shop, however, they have a few issues. The old overhead doors, the 1996 International and the rough cut lumber have been put on Auctions International. The bidding was over on January 7th.
- The bids from Auctions International were \$7,101 for the 1996 International Truck, \$1,625 for the overhead doors, and \$1,247 for the rough cut lumber.
- A motion was made by Councilman Chupa, seconded by Councilman Ackley to accept the bids for the truck, doors and lumber. A vote was taken on the motion, Carried.
- A discussion ensued about a salt/cold storage building, and a new sander for the 10 wheeler it is 14 years old.
- CLERK: Clerk Bennett gave the Board her annual reports for Registrar she issued 3 marriage licenses, 4 duplicate marriage certificates, 16 death certificates and collected \$252.50.
- Issued 357 spay/neuter dog licenses, 169 un spay/neuter dog licenses, 2 exempt dog licenses, collected one enumeration fee, one redemption fee, and issued two replacement tags, collected a total of \$4,533.
- As custodian of the German Cemetery we had one grave opening and closing and collected \$100.
- As Historian I did displays of the Town in honor of the 180th anniversary of our founding as a Town, also the 140th anniversary of the railroad being built from Dayton to South Dayton, the depot in South Dayton and the South Dayton Hotel, the Village which celebrated the 100th anniversary of its incorporation and 90th anniversary of the Zollinger family owning the hotel. These displays were in the Town Clerk's office and in August were taken to the depot in South Dayton for the day during the tractor pull.
- I did some research for 3 individuals and still have one pending. I have also answered questions about our history at various time during the year.
- The Code Enforcement Officer gave me fees for 25 building permits, one

special use permit, one chimney permit and two demolition permits, collected \$1,020.

The Town Clerk's Annual report was present to the Town Board, collected \$18,315.40 in all funds and turned \$6,828.05 over to the Supervisor, the remaining \$11,487.35 was paid to NYS Dept. of Health, DEC, Ag & Markets, Cattaraugus County DPW and the grave digger.

COURT: Court Clerk Bennett reported the Court heard 30 Vehicle & Traffic, 3 Penal Law, 5 Town Law cases collected \$2,461.

The annual report for the Court, heard 271 Vehicle & Traffic, 17 DWI, 23 Penal Law, 46 Town Law, 24 DEC, 2 Parks & Recreation Law, 11 Civil cases, collected \$27,086.

SUPERVISOR: Supervisor Smith made his appointments for 2016, a motion was made by Councilman Chupa, seconded by Councilman Clabeaux to accept the appointments. A vote was taken on the motion, Carried.

Supervisor Smith read a letter from Gowanda Ambulance Service regarding the renewal of the agreement with the Town. They need a letter stating that the Gowanda Ambulance Service is our designated 911 service, so that the ambulance service will provide for the worker's compensation. A motion was made by Councilman Chupa, seconded by Councilman Clabeaux to have the Clerk draft a letter to the Gowanda Ambulance Service. A vote was taken on the motion, Carried.

Supervisor Smith received a letter from Cattaraugus County Legislature Chairman Paula Stockman asking for two representatives from the Town on the recreated Thatcher Brook Watershed Task Force. After discussion Thomas Chupa and Brian Taber were recommended to the Legislature Chairman.

The Town Board received a letter of resignation from Dennis Ackley from the Planning Board, so the he can serve as Councilman on the Town Board.

Received an annual report of calls from the South Dayton Fire District.

Supervisor Smith reminded the Board that the funds to pay for machinery are in the DB side of the highway budget but when we pay for the machinery it has to come out of the DA side of the budget.

RESOLUTION #1: Resolved to change the 1990 in the General Fund A, B, and Highway Fund DA Contingent Account numbers to General Fund A, B and Highway Fund DA to 1989.4 contingent account-contractual expenses. A motion was made by Councilman Ackley, seconded by Councilman Chupa to change to the appropriate account numbers. A vote was taken on the motion, Carried.

Councilman Ackley discussed a tax break for a new business trying to get started in the Town, asked that the assessor work with us and the Village to see if there is something that can be done on a short term basis to help start some growth in the area.

ATTORNEY: Attorney Musacchio explained the history of Cherry Creek Woodcraft for the benefit of the new councilman so all were on the same page. He then

reported that they had come to an agreement of \$650,000 fair market value. A motion was made by Councilman Chupa, seconded by Councilman Clabeaux to accept a reduction in the fair market value to \$650,000 from one million dollars. A vote was taken on the motion, Carried.

BILLS:

A motion was made by Councilman Clabeaux, seconded by Councilman Ackley to pay General Funds claims #1-17, in the amount of \$6,750.24 as set forth in Abstract #1, dated January 13, 2015, Highway Fund claims #1-9, in the amount of \$1,904.30 as set forth in Abstract #1, dated January 13, 2016. A vote taken on the motion, Carried.

The Supervisor, Town Clerk and Tax Collector's reports for December, 2015 were received by the Board.

ADJOURN:

A motion to adjourn was made by Councilman Volk, seconded Councilman Chupa at 7:45 p.m., the next meeting will be February 10, 2016 at 7:00 p.m.

Respectively Submitted,

Ruth Bennett
Town Clerk