

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, JANUARY 11, 2017
7:00 P.M.

- PRESENT: Mark Smith, Supervisor, Dennis Ackley, Diana Clabeaux, Thomas Chupa, Edward Lulas, Town Council, Ruth Bennett, Town Clerk, Brian Taber, Highway Superintendent, Robert & Angeline Mardino-Miller, Doris Calnen, Elizabeth Stobb Miller, Roberta Johnston, Glen & Sylvia Morey, Dan Stang, Jim & Jennifer Dye, May Horth, John Gibbs
- 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 Chupa, seconded by Councilman Ackley. A vote was taken on the motion, Carried.
- HIGHWAY: The Highway Department reported they plowed and sanded sixteen days, we used a lot of sand and salt on a couple of icy days. We put the mowing head on the excavator and mowed some brush on some road sides on days when it was clear. The motor on the air compressor went down, we found a used one and replaced it. Truck 5 broke down on the road, we called Town of Perrysburg and they towed it back to the shop, thanks to the Town of Perrysburg for their help. We covered the sand/salt pile with a tarp and it has helped a lot.
- There were six street lights out in the Hamlet of Dayton, they have been called in to be replaced.
- THATCHER BROOK: Cathy Young's office has \$30,000 and Rural Soil and Water has \$6,000 which will be divided between Dayton, Perrysburg Village of Gowanda and Persia for work in Thatcher Brook cutting brush and trees into three foot logs.
- COURT: Court Clerk Bennett reported the Court heard in December 26 Vehicle & Traffic, 12 Town Law, 2 Penal Law, 1 Small Claim case a total of 41 cases and collected \$1528.00.
- In 2016 the Court heard 313 Vehicle & Traffic, 34 Penal Law, 63 Town Law, 5 Small Claims, 3 Summary Proceedings, 13 ECL, 2 Ag & Mkt, 1 PRL, 1 ABC, 2 Transcripts of Judgement and collected \$26,052.50.
- CLERK: Clerk Bennett read a brochure from Southern Tier West regarding Powers & Duties for Local Officials on Feb. 8, 2017 at Salamanca BOCES at 5:30 p.m. Registration is \$10.
- The annual meeting of the Association of Towns is Feb. 19-22, 2017 in New York, South Dayton Fire District gave us their annual report.
- We also need to replace two members of the Board of Assessment Review which meets once a year.
- BILLS: A motion was made by Councilman Lulas, seconded by Councilman Clabeaux to pay General Funds claims #1-16 in the amount of \$4561.35 as set forth in Abstract #1, dated January 11, 2017, Highway Fund claims #1-6, in the amount of \$3,327.38 as set forth in Abstract #1, dated January 11, 2017. A vote taken on the motion, Carried.
- SUPERVISOR: Supervisor Smith received a letter from the Gowanda Ambulance Service asking that they be designated Dayton's 911 service. A motion was made by Councilman Lulas, seconded by Councilman Clabeaux to designate Gowanda

Ambulance Service as the Town of Dayton 911 service. A vote was taken on the motion, Carried.

Last month I told the Board that the \$15,000 that was moved from General to Highway had paid the Highway back, however, my calculations were incorrect and the General still owes the Highway \$950. After discussion the Board decided to table moving the money until fall.

The budget amount for the Attorney of \$6500 does not reflect the Prosecuting Attorney's remuneration which is \$1200 so I would like to move \$1200 from A1910.4 Unallocated Insurance to A1420.1 Attorney. A motion was made by Councilman Chupa, seconded by Councilman to move \$1200 from A1910.4 to A1420.1. A vote was taken on the motion, Carried.

I received a letter from NYS Taxation and Finance saying the application of the 2016 Cyclical Reassessment Aid has been received.

I received correspondence regarding Brian Taber's health insurance which went up from \$441.50 to \$486.66, the letter was given to Mr. Taber.

Supervisor Smith made his appointments for 2017. A motion was made by Councilman Lulas, seconded by Councilman Clabeaux to approve the appointments. A vote was taken on the motion, Carried.

The minimum wage went up on January 1, 2017 to \$9.75 the Supervisor asked what does the Board want to do. After discussion a motion was made by Councilman Chupa, seconded by Councilman Ackley to raise the minimum wage to \$10 per hour for part time persons in the offices, in the Highway Department \$10 per hour without a CDL and \$14 with a CDL for part time employees. A vote was taken on the motion, Carried.

Supervisor Smith received letters of acknowledgement from NYSDOT Ronald Epstein and State Senator Catherine Young regarding the letter of support we sent for the New York & Lake Erie Railroad's application to the NYSDOT Passenger & Freight Assistance Program.

The Supervisor reminded that the Solar moratorium is about to expire do you want to renew it. After discussion a motion was made by Councilman Lulas, seconded by Councilman Ackley to renew the moratorium and set the Public Hearing date for February 8, 2017 at 7 p.m. A vote was taken on the motion, Carried.

The Board received a copy of the Purchasing Policy for their annual review, they decided to table any action on it until next Board meeting.

PUBLIC: The Board heard from various members of the public regarding their assessments and the promises that were made by the assessor to them and nothing has changed.

EXECUTIVE SESSION: Supervisor Smith made a motion, seconded by Councilman Lulas to go into executive session and meet with the assessor Roxanne Aucoin to get her input at 7:33 p.m.
The Board returned from executive session at 8:20 p.m. on a motion by Councilman Ackley, seconded by Councilman Chupa to resume the Board meeting. The action they will take is to ask Dan Martonis from Cattaraugus County Real Property Department to come and meet with us and Roxanne Aucoin to find out what is going on.
If any one here wants to talk to her tonight, you can go in and talk to her.

Angeline Mardino-Miller asked for an executive session, Supervisor Smith said he didn't think he could do that. After further discussion and she indicated it was about an employee and that she had talked to him about it before and nothing has changed. A motion was made by Councilman Chupa, seconded by Councilman Ackley to go into an executive session about an employee matter regarding things that have happened in the Hamlet of Dayton. A vote was taken on the matter, four Board members voted to go into executive session one Board member declined to vote. The Board went into executive session at 8:25 p.m. The Board returned from executive session on a motion by Councilman Chupa, seconded by Councilman Lulas at 8:49 p.m. A vote was taken on the motion, Carried. Their decision is that Councilman Lulas will discuss with Brian Taber about the problems on Railroad Avenue in the Hamlet of Dayton.

The Supervisor, and Town Clerk's reports for December, 2016 and the Town Clerk's annual report were received by the Board.

ADJOURN:

A motion to adjourn was made by Councilman Chupa, seconded by Councilman Clabeaux, at 8:50 p.m., Carried.

Respectively Submitted,

Ruth Bennett, Town Clerk