

Town of Dayton Board Meeting
Wednesday, January 12th, 2022
7:00 P.M.

- Present: Angie Mardino-Miller; Town Supervisor, Paul Luce; Deputy Town Supervisor, Jake Hansen-Ivett; Town Council, Don Bartlett; Town Council, Christine Rupp; Town Council, Tom Chupa; Town Highway Superintendent, Rachelle Cook; Deputy Town Clerk, John Grennell; Town Attorney, Linda Frost; Town Justice, Lee Ellis; Town Bailiff, Katie Harrington and Daniel Martonis; Town Assessors, Jeanne Matteson, Janice Bartlett *Absent: Frank Watson; Town Code Enforcement Officer, Steve Raiport; Town Emergency Preparedness/Disaster Coordinator*
- 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.
- Due to the absence of the Town Clerk and the newness of the Deputy Town Clerk, Supervisor Mardino-Miller asked the town council to take a moment to introduce themselves.
- Minutes: Deputy Town Clerk Cook distributed to 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 Deputy Town Supervisor, Luce and seconded by Councilman Bartlett. A vote was taken on the motion, Carried.
- Town Clerk: Deputy Town Clerk Cook read a notice from Gowanda Ambulance Service requesting designating Gowanda Ambulance as the Towns 911 service. Motion made by Councilman Hansen-Ivett, second by Councilwoman Rupp. All Aye- Motion Carried.
- Deputy Town Clerk Cook read a request from Town Justice Frost to appoint a temporary Court Clerk in the absence of the Court Clerk. Motion made by Councilwoman Rupp, second by Deputy Town Supervisor Luce. All Aye- Motion carried.
- Roll Call vote taken. Deputy Town Supervisor Luce-yes, Councilman Hansen-Ivett-yes, Councilman Bartlett-yes, Councilwoman Rupp-yes, Town Supervisor Miller-yes. Lori Dankert appointed temporary Dayton Town Court Clerk.
- Code Enforcement Officer: Not present. No report available.
- Assessor: Completed renewal applications for several exemptions are being returned. Because these renewals are due by March 1, 2022, the assessor's office will contact all applicants who have not submitted their application in mid-February. Property owners should contact the assessor's office with any questions about these exemptions or the application process. Pursuant to Section 501 of NYS Real Property Tax Law, the Notice Concerning the Examination of Assessment Inventory and Data, is being displayed on the bulletin board at the Town Hall and published in the town's official paper. "Although Ruth typically takes care of publishing this notice, in her absence my office will take care of publishing it (the invoice will be sent to the Town Clerk)." -Stated by Assessor Katie Harrington. The Assessing Office has corresponded with several property owners about their assessments, tax bills, and exemptions.
- Highway: Town Highway Superintendent Chupa reported that the hwy. dept. is making headway on beaver ponds. The crew and I caught a beaver on Cabic Rd. It has been snowing steadily and the crew has been out morning and night. Normal maintenance on all trucks and equipment have been performed. The crew has been helping clean out clutter in the shop and throughout the town hall along with painting around the town hall. In addition, we had a windstorm that came through a couple weeks ago and some trees fell in the roadway that we cleaned up in a timely matter. The week of Christmas, we hosted a little get together with

the neighboring town hwy. depts. Just a way to say “thank-you” for all the help throughout the year. We had a severe ice storm come over night. The crew did well handling the storm. Additionally, Town Highway Superintendent Chupa addressed the board asking for some kind of raise for his part time employees who haven’t received a raise in some time. A motion to give two part time employees a \$.50 raise was made by Councilman Bartlett, second by Councilman Hansen-Ivett. All Aye- Motion carried.

Supervisor:

Town Supervisorardino-Miller addressed the board to pay the monthly bills. General Fund claims-voucher #s 1-22 in the amount of \$22,955.33 as set forth in Abstract #1, dated January 12, 2022, Highway Fund claims- voucher #s 1-17, in the amount of \$15,825.10 as set forth in Abstract #1 dated January 12, 2022, Street Lighting Fund claims- voucher #s 1-2, in the amount of \$289.27 as set forth in Abstract #1 dated January 12, 2022. A motion to pay Dec 2021 bills was made by Councilman Hansen-Ivett, second by Deputy Town Supervisor Luce. All Aye- Motion carried.

Fund transfers: None available. CPA sent Town of Persia’s transfers. Will address any transfers at Feb 9ths 2022 meeting.

Town Procurement Policy: Motion to accept Town Procurement Policy as written was made by Councilman Hansen-Ivett, second by Deputy Town Supervisor Luce. All Aye- Motion carried.

Roll Call vote taken. Deputy Town Supervisor Luce-yes, Councilman Hansen-Ivett-yes, Councilman Bartlett-yes, Councilwoman Rupp-yes, Town Supervisor Miller-yes.

Town Supervisorardino-Miller brought to the board that the town is paying for two internet services, Spectrum and Saia Communications. Her recommendation is to cancel Saia Communications because of cost effectiveness and the fact that Spectrum is fiber optic allowing less service interruptions. After board discussion, motion made to cancel Saia Communications by Deputy Town Supervisor Luce, second by Councilman Hansen-Ivett. All Aye- Motion carried.

Town Supervisorardino-Miller made the board aware of the Unified Court System’s Internal Audit request of court records for fiscal year ending is 2021. These audits are due by March 1st, 2022. Board discussion held regarding audit process.

Town Supervisorardino-Miller, addressing the board, introduced Mrs. Janice Bartlett who is requesting to be on the Planning Board. Motion to have Janice Bartlett on the planning board was made by Councilman Bartlett, second by Deputy Town Supervisor Luce. All Aye- Motion carried.

Town Supervisorardino-Miller addressed Real Property Tax Service Director Daniel Martonis and Real Property Tax Service assessor Katie Harrington regarding the legal issue: Jay D. McMaster vs. Town of Dayton, ET AL. Real Property Tax Assessment Article 7 Proceeding and the legal fees that have come with this issue. After a great deal of board discussion involving town attorney, John Grennell, and Real Property Services Dan Martonis and Katie Harrington, Martonis’s recommendation was to sit on the sideline and let the school attorney handle it. It was brought to Martonis’s attention that it is not considered sitting on the sideline when the Town of Dayton is receiving bills for \$598.50 from Hodgson Russ LLP Attorneys/Gowanda Central Schools attorneys. Also brought to Martonis’s attention, the itemized list that the Town of Dayton received from Hodgson Russ LLP attorneys was all for interactions between Katie Harrington and Hodgson Russ LLP. There has been no board approval to hire any lawyer outside of the town attorney and the board chose to table this issue for one month. It was a unanimous decision by the board to table the discussion until the February board meeting.

Emergency Preparedness/

Disaster Coordinator: Nothing to report.

Attorney: Town Attorney Grennell addressed the board at length regarding the Jay D McMaster vs. Town of Dayton, ET AL. Real Property Tax Assessment Article 7 Proceeding.

Public: Nothing to report.

Justice: Town Justice Frost swore in the newly elected officials including Angie Mardino-Miller; Town Supervisor, Don Bartlett; Town Council, Christine Rupp; Town Council, Tom Chupa; Town Highway Superintendent, Rachelle Cook; Deputy Town Clerk, and John Grennell; Town Attorney

Adjourn: A motion to adjourn was made by Deputy Town Supervisor Luce, second by Councilman Hansen-Ivett, at 8:00 p.m. All Aye- Motion carried.

The next meeting will be February 9, 2022 at 7 p.m.

Respectively Submitted,

Rachelle Cook
Town of Dayton Deputy Town Clerk