

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, AUGUST 11, 2021
7:00 P.M.

PRESENT: Angie Mardino-Miller, Supervisor, Christine Rupp, Jake Hansen-Ivett, Paul Luce, Bruce Drajem, Town Council, Ruth Bennett, Town Clerk, Tom Chupa, Highway Superintendent, John Grennell, Attorney, Lee Ellis, Bailiff, Steve Raiport, Disaster Coodinatior, Frank Watson, CEO, Matt Arbeiter, Jeff Beightol

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 Governor's executive order 202.1, we can allow a limited number of the public to attend our meeting this evening, hopefully by next month the COVID-19 is manageable enough that will have changed.

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 Hansen-Ivett, seconded by Councilman Drajem. A vote was taken on the motion, Carried.

HIGHWAY: Highway Superintendent Chupa reported they have been mowing roadsides, had a few flooded roads on Saturday, July 17th, 4.5 inches of rain fell in less than an hour. Earl Hill was pretty bad, Wolf Road was flooded for three days and a few washouts here and there. Also had tire blow outs on the backhoe and loader. We put on tire on the loader that blew out, and the next day we had a flat tire on the backhoe. The tires were bald, so it was a good time to put new ones on.

We are done black topping the roads in the Town. We oil and stoned Hooker Hill on the Dayton end and Perrysburg did their end. I am almost out of money for doing repairs.

At 7:15 p.m. Superintendent Chupa asked the Board to adjourn and come with him to the highway garage, as he wanted to show them the utility truck. Returned at 7:25 p.m. then he went on to say the truck couldn't even get up Peck Hill, it has no compression, cleaned out catalytic it didn't help. I would like to replace the truck – it will take until November or December, 2021 unless we can find one now. I have enough money in my budget to replace the utility truck. A motion was made by Councilman Hansen-Ivett, seconded by Councilman Luce to purchase a replacement truck for the 2003 Chevy-1 ton. A roll call vote was taken on the motion, Hansen-Ivertt-aye, Luce-aye, Rupp-aye, Drajem-aye, Mardino-Miller-aye. The Board suggested the truck be parked.

The backhoe is getting tired, but we can make it go another year, the excavator is useless it's wore out, the grader we can use for another year.

ASSESSOR: The 2021 roll year has been finalized as of July 1, 2021, corresponded with several property owners about their assessments, tax bills, and exemptions. Also added four property transfers for the month of June.

CLERK: Clerk Bennett reported the Court processed 9 Vehicle & Traffic Law, and 1 Environmental Conservation Law and 1 NYCCR 6 and collected \$586.00.

The Clerk read a notice from Southern Tier West regarding the Fall Planning & Zoning Webinars beginning September 9 at 1 p.m. via zoom.

Clerk also received an estimate from General Code Publishers to update the Code book with two laws estimated to cost between \$555 and \$645.

Read a letter from Mary Jones stating that she is interested in being on the Zoning Board of Appeals.

The Clerk also told the Board that she was served with a court notice returnable to the Cattaraugus Count Court via Microsoft on October 6, 2021 at 1 p.m. A copy was provided

to the Assessor, the Chair of the Board of the Assessment Review and the Town Attorney.

SUPERVISOR:

The Supervisor asked for a motion to transfer \$400.00 from A1220.4 to A8810.4, \$59 from A9030.8 to A8050.8 and \$8.00 from B9040.8 to B9050.8. A motion was made by Councilman Hansen-Ivett, seconded by Councilman Drajem, a vote was taken on the motion, Carried.

I talked to Mr. Martin and he got the cost up to \$8,000 and has yet to appear. After discussion the Board decided to call ProTech and have them come to Board meeting.

Filled out form for DASNY.

A motion was made by Councilman Hansen-Ivett, seconded by Councilman Rupp to appoint Matthew Arbeiter to the Zoning Board of Appeals. A vote was taken on the motion, Carried.

A motion was made by Councilman Rupp, seconded by Hansen-Ivett to appoint Mary Jones to the Zoning Board of Appeals. A vote was taken on the motion, Carried.

Regarding the German Lutheran Cemetery, neither property owner has responded to letters about a right of way to the cemetery from the road. Attorney Grennell said he called the surveyor off so he will do nothing more.

CEO:

CEO Watson issued a demo and pool and am putting the finishing touches on a temporary concrete plant.

Court is August 19th, hopefully we can move these cases forward. I have prepaid my training, I will turn in a voucher for reimbursement.

CEO Watson received from Mr. Mesmer with a question about ZBA members. Attorney Grennell said they need to be electors of the Town.

BILLS:

A motion was made by Councilman Luce, seconded by Councilman Drajem to pay General Funds claims #87-110 in the amount of \$1,790.78 as set forth in Abstract #8, dated August 11, 2021, Highway Fund claims #101-110, in the amount of \$13,990.48 as set forth in Abstract #8 dated August 11, 2021. A vote was taken on the motion, Carried.

DISASTER COORDINATOR: Last year we submitted a request for projects under the Hazard Mitigation Plan, now we have to do a 60 day review. As of now 17% the performance period for this plan. VanEtten Road slide is in progress, culvert upgrade & sluice replacement have been done on Lathrop Road and VanEtten Road, evaluate areas that need a flood warning system constructed no progress, flood risk management feasibility study is ongoing, Code Enforcement attends yearly refresher course has been completed, flood damage prevention ordinance is in progress, continuous public education is ongoing, update municipal emergency operations plan completed, replacement of sluice or culvert at James Road, Jolls Road, 42nd Street, Thatcher Brook tie into flood fringe, no progress, elevate Wolfe Road, no progress, and elevate salt shed area at the Town Hall, no progress.

ATTORNEY:

Attorney Grennell explained the document that was served to the Town Clerk.

Councilman Hansen-Ivett spoke to the person who did the roof in Gowanda. Supervisor Mardino-Miller talked to someone who CEO Watson recommended.

The Town Clerk, and Supervisor reports for July, 2021 was received by the Board.

ADJOURN:

A motion to adjourn was made by Councilman Luce, seconded by Councilman Drajem, at 8:05 p.m. Carried.

The next meeting will be September 8, 2021 at 7 p.m.

Respectively Submitted,

Ruth Bennett, Clerk

