

REGULAR MEETING
TOWN OF DAYTON
WEDNESDAY, MAY 8, 2019
7:00 P.M.

- PRESENT: Angie Martino-Miller, Supervisor, Thomas Chupa, Dennis Ackley, Bruce Drajem, Diana Clabeaux, Town Council, Ruth Bennett, Town Clerk, John Grennell, Town Attorney, Arnold Andolsek, David Kohler, Dustin Stark, Jason Mahar, Asst. Assessor, Eustolia Santana, Dan Gabel, Mark Meyerhofer, Charter Communications, Brian Taber-Absent
- CALL TO ORDER: Supervisor Martino-Miller called the meeting to order at 7:00 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 was made by Councilman Chupa, seconded by Councilman Drajem. A vote was taken on the motion, Carried.
- HIGHWAY: The Highway Department did a lot more sweeping, worked on cleaning around the Town Barn, took a load of scrap to the scrap yard and received \$973.62, on rainy days we have been painting plow frames and plows so they can be put away, and replaced two driveway pipes.
- The Town CHIPS funding has gone up by \$17.53 total aid \$63,040.38, PAVE-NY aid \$14,389.59 stayed the same, however, we lost \$12,115.82 from the Extreme Winter Recovery program which was not included in the State budget. This is going to hurt as that is about one mile of road that we can't surface treat.
- I am requesting authorization from the Town Board to attend Highway School in Ithaca in June.
- CLERK: Clerk Bennett reported the Court heard 42 Vehicle and Traffic, 1 Town Ordinance, 3 Penal Law, 2 Tax Law, 2 Transportation Law, 1 Local Law, 1 Small Claim for a total of 52 cases and collected \$2532.00.
- ASSESSOR: Worked on the 2019 tentative roll and was completed in late April, a copy of the roll was given to the Town Clerk and it is also available on the County website.
- Updated oil and gas well values, these values fluctuate with the market and are updated annually based on production amounts well operators submit to the Department of Environmental Conservation. The former Assessor had not updated these assessments since 2014-2015, so instead of a gradual decrease over the past few years, what these gas and oil wells contributed to the tax base has decreased \$518,054. If market prices start going back up, these assessments will go back up as well.
- Twenty assessments were changed in the Village, including oil and gas wells, the net change in assessed value was an increase of \$89,644. One hundred eight assessments were changed in the Town, including oil and gas wells, the net change in assessed value was an increase of \$1,109,688, with agricultural building exemptions the tentative Town tax base has increased by a total of \$616,788.
- I attended a NYS Assessor's Association training in Batavia on April 26 on the valuation of vacant land, this training covered valuation theory, land type issues, sales data, highest and best use, commercial, waterfront, forest land types, and Real Property Version 4 valuation, including land schedules and tables.
- Kate Harrington also looked into whether or not the NYSDDSO houses have to pay fire district taxes, they do not have to pay fire district taxes, they are totally exempt.
- BILLS: A motion was made by Councilman Drajem, seconded by Councilman Ackley to

pay General Funds claims #57-79 in the amount of \$4,571.96 as set forth in Abstract #5, dated May 8, 2019, Highway Fund claims #49-55, in the amount of \$1,747.20 as set forth in Abstract #5 dated May 8, 2019. A vote was taken on the motion, Carried.

SUPERVISOR:

The Supervisor asked Mark Meyerhofer to update the Board and public on the cable process. Mr. Meyerhofer said that they have a settlement agreement with the Public Service Commission and the State, today they officially put it on the record and gave it a docket number. Presumably by July they will approve the settlement agreement.

The Town of Dayton starts with an alternative franchise, with the help of the Supervisor got the paperwork together and notified the adjoining Towns, last week the paperwork was submitted to the PSC, we now wait for them to assign a case number, then a 30 day comment period can begin, however, the settlement agreement will need to be approved before the franchise work can begin.

Once the PSC approves the franchise, then the Town can schedule a public hearing to approve the franchise agreement.

In the meantime we are working on the pole permitting process, we will begin with utility companies, the cable wire may not be hung until late this year or early next year, when the utility companies approve the cable company to use the pole. The electric company will come thru and verify one last time before the cable is hung.

Dan Gabel asked if they were going to use Time-Warner cables, Mr. Meyerhofer responded they will use new ones. Dayton will have fiber to the homes rather than coaxial cable.

Councilman Ackley asked how many homes will be served, Mr. Meyerhofer responded between 500 and 580 homes.

Attorney Grennell asked if there is anything the Town needs to do. One thing that can be done is to finalize the franchise agreement. We could get that in place in principal so that when we get to the public hearing we have a document for the public. Attorney Grennell then asked if the Town needs to do anything other than finalize the franchise agreement or has the Town done everything it needs to do at this time. Mr. Meyerhofer said yes everything that we need from the Town is done, let's just finalize the franchise agreement in principal then we're good. I will get you the information from the PSC as soon as it becomes available then you can monitor that.

The Town has received the funds from JCAP in the amount of \$2,485. We need to transfer \$77 from DA9050.8 to DA9060.8, \$2,800 from DA5130.1 to DA5130.4 and \$2,000 from DA5142.1 to DA5142.12. A motion was made by Councilman Chupa, seconded by Councilman Ackley. A vote was taken on the motion, Carried.

The annual update document has been submitted to the Office of the State Comptroller.

The South Dayton Ambulance contract needs to be renewed. A motion was made by Councilman Clabeaux, seconded by Councilman Drajem. A vote was taken on the motion, Carried.

The fee of \$50 for a bounced check that was passed in 2016, is too high by law we need to lower it to \$20. A motion was made by Councilman Chupa, seconded by Councilman Ackley. A vote was taken on the motion, Carried.

The resolution for NYS Retirement was read by the Clerk. A motion was made by Councilman Chupa, seconded by Councilman Ackley. A vote was taken on the motion, Carried.

We need a new member on the Board of Assessment Review if anyone is interested.

The Town Clerk report for April, 2019 was received by the Board.

ADJOURN:

A motion to adjourn was made by Councilman Chupa, seconded by Councilman Drajem, at 8:22 p.m., Carried. The next meeting will be June 12, 2019 at 7 p.m.

Respectively Submitted,

Ruth Bennett