

BYRON TOWN BOARD MEETING

January 9, 2013

The Byron Town Board Meeting was called to order by Supervisor Crnkovich at 7:00 p.m. with the following people present:

Supervisor.....	Robert Crnkovich
Councilmen.....	Jeff Thompson
	Scott Wooton
	Harold Austin
Highway Superintendent.....	George Heins
Assessor.....	Barry Flansburg
Town Clerk.....	Debra Buck-Leaton
Absent.....	Councilman Jack Redick
Invited Guests.....	Attorney Paul Boylan
Public:	
Sue Fuller.....	Cockram Road, Byron
Jim Cudney.....	Rte. 237, Byron
Eric Zuber.....	Tower Hill Road, Byron
Doug Barnard.....	Gillett Road, Byron
Christopher Hilbert.....	Lyman Road, Byron

PLEDGE TO THE FLAG:

Supervisor Crnkovich led the people in attendance in the Pledge of Allegiance.

MINUTES:

A **motion** was made by Councilman Austin to approve the Byron Town Board minutes of December 12 and December 28, 2012, and January 2, 2013 as written. The motion was seconded by Councilman Wooton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PLANNING BOARD – Eric Zuber:

·Proposed Zoning Law public comment meetings are scheduled for February 6th and 12th at 7:00 pm. Paul Boylan will be present to answer questions from the public, along with the Planning Board and members of the Town Board.

DISCUSSION REGARDING PLANNING BOARD APPOINTMENT:

·The Town Board has received an application to the Planning Board from William Corson, however, Jim Cudney, who is currently an alternate on the Planning Board and Chairman of the Zoning Board of Appeals, would like to be appointed to the Planning Board.

·The Town Board asked Mr. Cudney to resign from the Zoning Board of Appeals if he would like to be appointed to the Planning Board. They received a letter from Mr. Cudney that he would like to remain on both boards.

·Supervisor Crnkovich asked the Town Board members what their opinions are with regard to an appointment.

·Councilman Wooton believes that if there is another community member that is interested in holding the position, the Town Board should appoint that person, and keep Mr. Cudney as an alternate.

A **motion** was made by Councilman Wooton to appoint William Corson to a five year term as a permanent member on the Planning Board effective January 1, 2013 – December 31, 2017. The motion was seconded by Supervisor Crnkovich and carried with the following vote:

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilman Wooton to approve the Planning Board report as given. The motion was seconded by Councilman Austin and carried with the following vote:

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – George Heins:

·Would like the Town Board to pass a resolution for the NYS Snow and Ice Agreement.

EXTENSION OF NYS SNOW & ICE AGREEMENT

RESOLUTION #28:

Councilman Thompson offered the following resolution and moved for its adoption:

WHEREAS, the Town Board of the Town of Byron approves the extension to the Snow & Ice Contract No. D009591 dated September 15, 1995 between the State of New York and the Town of Byron for snow and ice control, which will expire on June 30, 2014 unless further extended. The contract will be for \$37,568.19.

Councilman Wooton seconded the resolution which was adopted by the following vote:

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilman Austin to approve the Highway Report as given. The motion was seconded by Councilman Wooton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT:

Number of Inspections: 10

Number of Zoning/Building Permits Issued: 0

Number of Land Separations: 0

Number of Building C.O./C.C. Issued: 3

Number of Zoning Complaints Filed: 0

Number of Zoning Complaints Resolved: 0

·Will start to schedule Fire and Safety Inspections for various businesses and public assemblies.

·Filed Census Bureau Building Permit Survey.

·Working on NYS Annual Report for the Town of Byron.

·Continue to work with the Planning Board as a source on the Zoning Ordinance update.

A **motion** was made by Councilman Wooton to approve the CEO/ZEO Report as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT:

·There was no Park Committee meeting in January.

ABSTRACTS

RESOLUTION #29:

Councilman Austin offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board pay the following abstracts:

<i>Fund:</i>	<i>Abstract:</i>	<i>Vouchers:</i>	<i>Amount:</i>
General Fund	#1	#1 - #27	\$54,707.81
Highway Fund	#1	#1 - #16	\$3,293.80
Sewer Fund	#1	#1 - #2	\$2,710.59

Councilman Wooton seconded the resolution which was adopted by the following vote:

Vote: Ayes: 4 Nays: 0

TOWN CLERK'S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 58.00
Paid to DEC for Hunting/Fishing Licenses.....	\$ 59.52
Paid to the Town of Byron Supervisor.....	<u>\$2,629.58</u>
Total Disbursed for December 2012.....	<u>\$2,747.10</u>

A **motion** was made by Councilman Austin to approve the Town Clerk's Report as given for December, 2012. The motion was seconded by Councilman Wooton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

·The Financial Report for November 2012 was reviewed.

A **motion** was made by Councilman Thompson to approve the November 2012 Financial Report as written. The motion was seconded by Councilman Wooton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SUPERVISOR'S REPORT:

·Received Mercy EMS Response Time Report

A **motion** was made by Councilman Austin to approve the Supervisor's Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

CONSOLIDATED FUNDING APPLICATION GRANT FUNDING:

·The 2012 Consolidated Funding Application (CFA) which the Town applied for to upgrade the Swamp Road Trailer Park sewer system was not selected for funding.

·Superintendent Heins will talk to Stu Brown Associates to see what the next step should be since funding was denied.

NYS COMPTROLLER'S AUDIT:

·The NYS Comptroller's Office conducted an audit of the Town's finances for January 1, 2011 through September 20, 2012 (a copy of which is attached hereto). The only findings the Comptroller's Office had dealt with the Justice Court, such as segregation of duties and pending tickets. It was also advised that the Town Board do a more thorough audit of the Justice records each year. The cost to have an outside audit of the Justice records each year would be approximately \$1,000 - \$1,500, but two members of the Town Board can also do the audit using forms prescribed by the Comptroller's Office. There has been a response sent to the Comptroller with regard to their findings, and the next step is to put a notice in the newspaper with regard to the audit.

·If the Town Board decides they would like to have an outside auditor do the yearly Justice audit, we can have Raymond Wager's office do it for a fee each year.

·The Town also needs to have a GAGAS audit done to satisfy USDA requirements for the Water Districts. A proposal has been requested and received from Raymond Wager's office for \$2,750.

GAGAS AUDIT

RESOLUTION #30:

Councilman Thompson offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board approves the Quotation For Accounting Services prepared by Raymond Wager, CPA for preparation of the GAGAS Audit for the year ending December 31, 2012 in the amount of \$2,750.00.

Councilman Wooton seconded the resolution which was adopted by the following vote:

Vote: Ayes: 4 Nays: 0

JUSTICE AUDIT

RESOLUTION #31:

Councilman Wooton offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board approves the Quotation For Accounting Services prepared by Raymond Wager, CPA for preparation of an audit of the Town Justice records from April 1, 2012 through December 31, 2012, in an amount not to exceed \$1,000.00.

Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote: Ayes: 4 Nays: 0

2013 COMMITTEE APPOINTMENTS

Audit Committee:

Supervisor Robert Crnkovich
Councilman Austin

Banking Committee:

Supervisor Robert Crnkovich
Councilman Wooton

Disaster Preparedness Committee:

Supervisor Robert Crnkovich
Councilman Thompson
Town Clerk Debra Buck-Leaton
Byron Fire Chief Charles Durkee
South Byron Fire Chief Jim MacKenzie, Jr.
Byron Rescue Squad Dwane Weatherell
Highway Superintendent George Heins

Equipment Committee:

Highway Superintendent George Heins
Councilman Wooton
Supervisor Robert Crnkovich

Insurance Committee:

Supervisor Robert Crnkovich
Councilman Redick
Highway Superintendent George Heins

Museum Committee:

Historian Bob Wilson
Historian Beth Wilson
Supervisor Robert Crnkovich
Historical Society President Dick Glazier

Park Committee Rep.:

Councilman Redick

Planning Board Reps:

Councilman Redick
Councilman Austin

Fireman's Committee:

Supervisor Robert Crnkovich
Councilman Thompson

Sewer/Water Ordinance Committee:

Councilman Wooton

Comprehensive Plan Update Committee:

Councilman Thompson
Councilman Redick
Planning Board Chairman Eric Zuber

Buildings Committee:

Highway Superintendent George Heins

Councilman Wooton
Supervisor Robert Crnkovich
David Chupp

PUBLIC COMMENTS:

Attorney Paul Boylan: Received letter from Kevin Earl, Attorney for S. Byron Fire Department, that CGR would create a plan for fire protection in the Town. Paul has changed the wording to show that GCR is simply facilitating the study (a copy of which is attached hereto). A Committee will be responsible, not just CGR, for implementation of the study. CGR will only be facilitating the study, not enforcing it. Attorney Boylan would like to know whether the Town is willing to approve the Agreement or not. He thinks it's important for the Town to be involved.

Councilman Thompson: Are the recommendations of GCR going to be definitive enough?

Attorney Paul Boylan: The recommendations will not be dictated by GCR, but developed by the Committee, and will involve a plan.

Councilman Thompson: He is interested in moving forward.

CGR AGREEMENT:

RESOLUTION #32:

Councilman Thompson offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board approves, and authorizes the Supervisor to sign, the Agreement with Byron Fire Department #1 and South Byron Volunteer Fire Department with regard to CGR (Center for Government Research) facilitating a study pursuant to a proposal submitted by the CGR on July 25, 2012.

Be It Further Resolved, that the Byron Town Board approves said Agreement contingent upon both the Byron Fire Department #1 and South Byron Volunteer Fire Department signing said Agreement.

Councilman Austin seconded the resolution which was adopted by the following vote:

Vote: Ayes: 4 Nays: 0

ADJOURN:

A **motion** was by Councilman Wooton to adjourn the Byron Town Board Meeting at 7:26 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk