

***BYRON TOWN BOARD MEETING***

*October 12, 2011*

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.....	Jeanne Freeman
	Jeff Thompson
	Jack Redick
	John Ivison
Highway Superintendent.....	George Heins
Town Clerk.....	Debra Buck-Leaton

Public:

Jim Cudney.....	Rte. 237, Byron
Brian Forsyth.....	Gillett Road, Byron
Wayne Austin.....	Ivison Road, Byron
Scott Wooton.....	Swamp Road, Byron

**\*Councilman Redick was not present for the beginning of the meeting**

## PLEDGE TO THE FLAG:

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

**MINUTES:**

A **motion** was made by Councilman Ivison to approve the Byron Town Board minutes of September 14, 2011 and October 5, 2011 as written. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote:           Ayes: 4                   Nays: 0

## PLANNING BOARD REPORT:

- Reviewed Paul Boylan’s changes to the Zoning Ordinance
- Reviewed with Paul Thompson the steps necessary for a land separation and interpretation of zoning for multiple family dwellings in an AR district.

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

Vote:            Ayes: 4            Nays: 0

## HIGHWAY SUPERINTENDENT'S REPORT – George Heins:

- Finished blacktopping culverts on Swamp Road
- Helping Bergen do blacktopping
- Mixing salt and sand
- Getting ready for snow plowing

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

Vote:                      Ayes: 4                      Nays: 0

## **WASTE WATER:**

### **SALE OF SEWER DEPARTMENT 2008 FORD PICKUP RESOLUTION #52:**

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

***Resolved***, that the Byron Town Board authorizes the Highway Superintendent to list the 2008 Ford pickup truck for sale for no less than \$22,000.00, including the plow.

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

Vote:                      Ayes: 4                      Nays: 0

### **Valves in S. Byron:**

·Replacing at the end of the week because they are worn out

### **Manhole Repairs:**

·Sides are caving in on three and they need to relined.

## **CEO/ZEO REPORT:**

Number of Inspections:              15  
Number of Zoning/Building Permits Issued: 8  
Number of Land Separations: 0  
Number of Building C.O./C.C. Issued: 3  
Number of Zoning Complaints Filed: 1  
Number of Zoning Complaints Resolved: 1  
Total Hours for the Month:      82

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

A **motion** was made by Councilman Ivison 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

A **motion** was made by Councilwoman Freeman to authorize Town Supervisor Robert Crnkovich to pursue a Shared Services Agreement with the Town of Bergen for Code/Zoning Enforcement services. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

## **ABSTRACTS**

### **RESOLUTION #53:**

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

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

<b><u>Fund:</u></b>	<b><u>Abstract:</u></b>	<b><u>Vouchers:</u></b>	<b><u>Amount:</u></b>
General Fund	#10	#231 - # 257	\$11,537.90
Highway Fund	#10	#147 - #153	\$ 4,789.72
Sewer Fund	#10	#55 - #64	\$12,779.49
General Fund	#PA-11	#37 - #38	\$ 428.32
Sewer Fund	#PA-9	#9	\$ 505.56
Water District No. 8	#3	#3	\$ 1,500.00

Councilwoman Freeman seconded the resolution which was adopted by the following vote:

Vote:                      Ayes: 4                      Nays: 0

#### **TOWN CLERK'S REPORT:**

Paid to the Park Committee for Park Rental.....	\$ 30.00
Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 65.00
Paid to NYS Environmental Conservation.....	\$ 5,634.08
Paid to the NYS Department of Health for Marriage Licenses.....	\$ 45.00
Paid to the Town of Byron Supervisor.....	\$3,236.82
Total Disbursed for September 2011.....	\$9,010.90

A **motion** was made by Councilwoman Freeman to approve the Town Clerk's Report as given for September 2011. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

#### **APPROVAL OF OFFICIAL UNDERTAKING FOR TAX COLLECTOR RESOLUTION #54:**

Councilwoman Freeman offered the following resolution and moved for its adoption:

***Resolved***, that the Town Board of the Town of Byron, County of Genesee, State of New York, does hereby approve the undertaking or bond issued by Tompkins Insurance Agencies, Inc. as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into her/his hands as such collector.

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

Vote:                      Ayes: 4                      Nays: 0

#### **FINANCIAL REPORT:**

·The Financial Reports for September 2011 were reviewed.

A **motion** was made by Councilman Ivison to approve the September 2011 Financial Report as written. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

#### **SUPERVISOR'S REPORT:**

·Received check in the amount of \$9,238.25 from Time Warner Cable  
·Received Mercy EMS Report for September

A **motion** was made by Councilman Ivison 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

**\*Councilman Redick came in at this point in the meeting**

**Budget:**

A **motion** was made by Councilwoman Freeman to approve the 2012 Preliminary Budget as presented. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 1 (Councilman Ivison)

A **motion** was made by Councilwoman Freeman to set the Public Hearing on the Fire Protection Contracts for November 9, 2011 at 7:00 p.m. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

A **motion** was made by Councilwoman Freeman to set the Public Hearing on the 2012 Preliminary Budget for November 9, 2011 at 7:15 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

**PARK COMMITTEE REPORT – Councilman Redick:**

·Did not attend last Park Committee meeting

**OTHER BUSINESS:**

**TOWN JUSTICE AUDIT**

**RESOLUTION #55:**

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

***Resolved***, that the Byron Town Board approves the audit report of the Town Justice accounts for the Town of Byron reviewed by Councilman Ivison and Supervisor Crnkovich, to the best of their knowledge.

Councilwoman Freeman seconded the resolution which was adopted by the following vote:

Vote:                      Ayes: 3                      Nays: 0                      Abstain: 2  
(Councilman Ivison and Supervisor Crnkovich)

**RESIGNATION OF JEFFREY COOK FROM THE ZONING BOARD OF APPEALS**

A **motion** was made by Councilman Ivison to accept the resignation of Zoning Board of Appeals member Jeffrey Cook. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

A **motion** was made by Councilman Ivison to appoint Chad Huhn as a permanent member of the Zoning Board of Appeals effective October 12, 2011 - December 31, 2012. The motion was seconded by Councilman Redick and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 5

**PUBLIC COMMENTS:**

Jim Cudney: Jeff Cook moved to Bergen and that's why he had to resign from ZBA

**EXECUTIVE SESSION:**

A **motion** was made by Councilman Thompson to enter into Executive Session at 7:30 p.m. to discuss fire district contract negotiations and matters relating to collective negotiations. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

A **motion** was made by Councilman Ivison to come out of executive session at 8:14 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

**ADJOURN:**

A **motion** was made by Councilman Ivison to adjourn the Byron Town Board Meeting at 8:15 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:           Ayes: 5           Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton  
Byron Town Clerk