

A **motion** was made by Councilman Ivison to name Councilwoman Freeman as a signor on the Bank of Castile bank accounts. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

MINUTES:

A **motion** was made by Councilman Ferguson to approve the Byron Town Board Minutes of September 10, 2008, September 24, 2008 and September 29, 2008 as written. The motion was seconded by Councilman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

WATER DISTRICT NO. 2:

PAYMENT FOR LATERAL CONNECTION ASSISTANCE GRANTS

RESOLUTION #90:

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

Resolved, that the Byron Town Board agrees to approve the payment of 4 vouchers totaling \$3,485.00 for lateral connections for Water District No. 2.

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

Vote: Ayes: 4 Nays: 0

PAYMENT OF WATER DISTRICT NO. 2 ABSTRACT #6

RESOLUTION #91:

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

Resolved, that the Byron Town Board agrees to pay Water District No. 2 Abstract #6 in the amount of \$4,810.00 to Clark Patterson Associates, subject to the approval of Rural Development.

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

Vote: Ayes: 4 Nays: 0

WATER DISTRICTS NOS. 3, 4, 5 AND 6:

Eric Wies - March of 2009 earliest we would hear about the approval of any bids to the districts. Design would begin at that point, bids would be received and awarded within 30-60 days, construction would probably be completed in Summer of 2009.

Water 5 – Does the Town want to continue at the rate determined at this time (roughly \$1000 per household) and start construction. Preliminary application will be completed and submitted to Rural Development. A public meeting should be held to present the information to the residents and may be done at some point after budget meetings.

PLANNING BOARD REPORT –Councilman John Ivison:

Planning Board meeting was Tuesday September 7 and set the ground work for future application submissions. The Comprehensive Plan will hold their meetings on the third Tuesday of each month. The next meeting of the Planning Board will be in November with representatives from the County Planning Board and Barry Flansburg in attendance to discuss Land Separations. The Planning Board would like the Town Board to ban outdoor furnaces in R-1, C-1 and the tentative C-2 districts.

A **motion** was made by Councilman Ivison to appoint Dennis Maid as Chairman of the Zoning Board of Appeals. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilwoman Freeman to approve the Planning Board Report as given. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – George Heins:

Items that the inspector found fault with are being addressed. There seems to be some contradiction in what is mandated and required regarding ladders, stairs, etc. and the inspector will be contacted for re-inspection.

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

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilman Ivison to rescind the motion made at the August 13, 2008 meeting to purchase 1300 tons of salt out of fund H3 Salt Barn Fund. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilman Ivison to pay the Highway Department for labor and equipment used in new salt barn construction out of H3 Salt Barn Fund. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

WASTE WATER REPORT – Brian Forsyth:

VRI:

The Town has been in contact with VRI Environmental Services to provide sewer system maintenance in the future to the Town and has received a bid from them for services. The five year proposal can be cancelled with 90 days notice and provides that VRI will maintain everything within the sewer system fences while the town will cover

items outside the fence (like mowing, plowing, etc.). Al Graham from VRI addressed the Town Board in regards to supplying environmental service for gray water to the Town. VRI currently provides services to the surrounding towns of Corfu, Oakfield, Akron, Castile and Elba. Byron has 27 lift stations that need monitoring and proactive maintenance in order for the service to remain operational. In the event pumps go off and there is a call out – VRI will be notified immediately and is dispatched to repair the problem. Brian Forsyth will remain in a part- time capacity with the sewer system because he is familiar with the system. The firm charges for actual hours spent on the job and tries to maximize their efforts to minimize costs to the township. The sewer system in Byron needs constant attention at this point and two certified, licensed people need to be available to perform repairs, which minimally would require the addition of a Town employee or hire a firm such as VRI.

A **motion** was made by Councilman Ferguson to contract with VRI in the amount of \$26,568 annually (\$2,214 in twelve equal installments), pending Town Council verification. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT:

- Number of Inspections: 15
- Number of Zoning Permits: 3
- Number of Building Permits Issued: 4
- 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: 3
- Total Hours for the Month: 100

A **motion** was made by Councilman Ivison to approve the CEO/ZEO report as written. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT – Councilwoman Freeman:

The same amount will be budgeted in 2009 as was submitted in 2008 at this point. The Park Committee will ask for donations of poles/posts for use in construction of a pole barn from local businesses.

A **motion** was made by Councilman Ferguson to accept the Park Committee Report as given. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 4 Nays: 0

ABSTRACTS

RESOLUTION #92:

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

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

<u>Fund:</u>	<u>Abstract:</u>	<u>Vouchers:</u>	<u>Amount:</u>
General Fund	#10	#218 - #248	\$11,545.59
Highway Fund	#10	#137 - #154	\$72,464.30
Sewer Fund	#10	#86 - #90	\$ 3,113.00
General Fund	#PA-15	#51 - #55	\$ 6,020.36

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

Vote: Ayes: 4 Nays: 0

TOWN CLERK’S REPORT:

Paid to the Genesee County Treasurer for Dog Licenses.....	\$ 68.15
Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 24.00
Paid to the NYS Environmental Conservation.....	\$3,326.37
Paid to the Town of Byron Supervisor.....	<u>\$2,361.43</u>
Total Disbursed for September 2008.....	<u>\$5,779.95</u>

A **motion** was made by Councilman Freeman to approve the Town Clerk’s Report as given for September 2008. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

The financial reports were reviewed for September 2008.

A **motion** was made by Councilman Ivison to approve the September 2008 Financial Reports as given. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

Byron Road/Rte. 237 Intersection: Councilwoman Freeman reported that from 2002 to June 2008 – 36 reported accidents, 72 vehicles, 2 deaths, 5 poles struck, 5 diesel fuel spills and 2 Mercy Flight calls have occurred at the intersection. A letter was read from Steve Hawley to NYS DOT requesting flashing lights, replacement of flags or minimally better lighting at the intersection. Sheriff Gary Maha suggested flashing light and addition of rumble strips. Belief of the Town is that a four way stop will reduce the severity of any accidents that may happen. The Town supported the letter that was sent by the South Byron and Byron Fire Departments to Steve Hawley requesting something be done about the intersection. The Board would like to put this topic back to the Fire Departments.

Election Registration – Nobody showed up to register last Saturday, and the last opportunity to register will be this Saturday October 11, 2008 from 1 pm – 9 pm.

Byron Historical Society will meet Thursday, October 16, 2008 at the Byron Presbyterian Church. Contact Councilwoman Freeman for more information.

PUBLIC COMMENTS:

Pete Yasses praised Ken Kuter's attitude as CEO/ZEO as he worked with him on a recent application.

Councilman Ivison would like to congratulate Town Assessor Barry Flansburg for being elected to a two year appointment of the Executive Board of the New York State Assessors Association.

SUPERVISOR'S REPORT:

Supervisor Felton reported on upcoming training seminars if anyone would like to attend, contact the Town Clerk for registration. Supervisor Felton also shared information on area township activities, on-going training seminars, shared ambulance service with Batavia, the Black Creek Water Shed and other activities.

ADJOURN:

A **motion** was made by Councilman Ivison to adjourn the Byron Town Board Meeting at 9:00 p.m. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,

Rebecca Sando
Acting Secretary