

**BYRON TOWN BOARD MEETING**

December 9, 2015

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

Supervisor.....	Pete Yasses
Councilmen.....	Sue Fuller
	Jim Cudney
	Jeff Thompson
Town Clerk.....	Debra Buck-Leaton
Absent.....	Councilman Austin
	Highway Superintendent Heins

Public:

Mickey Truax.....	Swamp Road, Byron
Vic Digregorio.....	Warboys Road, Byron
Bill and Barb Emerson.....	Terry Street, Byron
Aaron Sharp.....	Searls Road, Byron
George Squires.....	McElver Street, Byron
Brian Forsyth.....	Gillett Road, Byron

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Supervisor Yasses.

**MINUTES:**

A **motion** was made by Councilwoman Fuller to approve the Byron Town Board minutes of November 4, 2015 and November 10, 2015 as written, except that on the November 4<sup>th</sup> meeting minutes, page 1, acceptance of minutes, Councilwoman Fuller approved of the minutes, not Councilwoman Freeman. The motion was seconded by Councilman and carried with the following vote:

Vote:           Ayes: 4                   Nays: 0

## PLANNING BOARD REPORT:

·Proposal by the Planning Board: Planning Board member George Squires stated that the Planning Board would like to create a Comprehensive Plan Committee consisting of the Planning Board, 3 or 4 community members, and a Secretary, which would all be paid. The Planning Board doesn't feel they can complete the Comprehensive Plan in a timely manner if a committee is not established. Supervisor Yasses stated the Town Board would like to see some progress. The Planning Board hopes to be ready by March to hire a consulting firm to help complete the Plan.

·Per Supervisor Yasses the Planning Board needs to have 4 hours of training per year and the Comprehensive Plan community members do not need training, therefore he believes the Comprehensive Plan Committee should be paid \$25 per meeting, with the Chairman receiving \$30 per meeting, and the secretary should be paid \$10 per hour.

## **COMPREHENSIVE PLAN COMMITTEE**

### **RESOLUTION #77:**

Supervisor Yasses offered the following resolution and moved for its adoption:

**Resolved**, that the Byron Town Board approves of the formation of a Comprehensive Plan Committee to consist of the Planning Board members, 3 or 4 community members and a secretary. The Chairman shall be paid \$30 per meeting, committee members shall be paid \$25 per meeting, and the secretary shall be paid \$10 per hour. Committee members need to attend all meetings unless absence approved by the Chairman.

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

Vote:                      Ayes: 4                      Nays: 0

·Solar Energy Systems: Planning Board Chairman Aaron Sharp said that after speaking with Ken Kuter, the Code/Zoning Enforcement Officer, the Planning Board has decided it doesn't make sense to have the roof mounted solar array systems seek approval from the Planning Board because the Code Enforcement Officer can take care of it himself. However, they believe residents installing free standing solar array systems should still go before the Planning Board for review. The Planning Board believes the Zoning Ordinance needs to be amended to include definitions. Supervisor Yasses with contact the Town Attorney, Paul Boylan, to see what steps need to be taken to amend the Zoning Ordinance.

A **motion** was made by Councilman Cudney 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

## **SEWER REPORT:**

### ***Monthly:***

- Checked and maintained all filter bed umps (N,S+C)
- Keeping track of pump hours on all pumps including Old School House, Walkers Corners and McElver Street lift station
- Took monthly samples

### ***Other:***

- Helped a homeowner out in the trailer park with a plugged sewer line.
- Had AD Calls pump out the last tank for the season (apartment house).
- Responded to a few stake outs.

A **motion** was made by Councilwoman Fuller to approve the Sewer Report as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

## **SEWER RELEVY**

### **RESOLUTION #78:**

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

**Resolved**, that the Byron Town Board approves the relevy of all unpaid sewer bills in the amount of Twenty-Four Thousand Five Hundred Seventy-Nine and 00/100 (\$24,579.00) onto the 2016 Town/County tax bills.

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

Vote:                      Ayes: 4                      Nays: 0

**HIGHWAY SUPERINTENDENT’S REPORT – Brian Forsyth:**

- Put up Christmas lights
- Put up snow fence
- Brian would like to see if the Town has a Shared Services Agreement with the Village of LeRoy. He would like to use their sweeper truck to clean out run off drains.

A **motion** was made by Councilman Thompson to approve the Highway Superintendent’s Report as written. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

**CEO/ZEO REPORT:**

Number of Inspections: 17  
Number of Zoning/Building Permits Issued: 6  
Number of Land Separations: 1  
Number of Building C.O./C.C. Issued: 3  
Number of Zoning Complaints Filed: 1  
Number of Zoning Complaints Resolved: 1  
Number of Stop Work Orders Issued: 1

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

Vote:                      Ayes: 4                      Nays: 0

**PARK COMMITTEE REPORT – Councilman Cudney:**

- Snowmobile trails have been marked
- 3 members have terms that are expiring
- Put Christmas lights up in gazebo
- Picnic tables have been fixed

A **motion** was made by Councilwoman Fuller to approve the Park Committee Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

**MUSEUM REPORT – Councilwoman Fuller:**

- The museum committee will meet in the spring and discuss 501-C-3status.

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

Vote:                      Ayes: 4                      Nays: 0

## **ABSTRACTS**

### **RESOLUTION #79:**

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

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

<b><i>Fund:</i></b>	<b><i>Abstract:</i></b>	<b><i>Vouchers:</i></b>	<b><i>Amount:</i></b>
General Fund	#12	#268 - #286	\$17,716.53
Highway Fund	#12	#156- #170	\$ 4,369.86
Sewer Fund	#12	#52	\$ 2,504.75
General Fund	PA#11	#54 - #66	\$ 9,507.68
General Fund	PA#12	#67 - #72	\$ 1,275.35
Sewer Fund	PA#11	#36	\$ 875.00
Sewer Fund	PA#12	#37 - #39	\$ 784.74
Water District No. 2	#1	#1	\$ 2,641.00
Water District No. 3	#1	#1	\$ 139.00
Water District No. 4	#1	#1	\$ 170.00
Water District No. 5	#5	#12 - #14	\$19,110.28
Water District No. 5	#6	#15 - #18	\$58,958.86

Councilman Thompson 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.....	\$ 61.00
Paid to NYS Environmental Conservation.....	\$ 950.60
Paid to the Town of Byron Supervisor.....	<u>\$2,961.10</u>
Total Disbursed for November 2015.....	<u>\$3,972.70</u>

A **motion** was made by Councilwoman Fuller to approve the Town Clerk's Report as given for November 2015. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote:           Ayes: 4           Nays: 0

## **APPROVAL OF OFFICIAL UNDERTAKING FOR TAX COLLECTOR**

### **RESOLUTION #80:**

Councilman Cudney 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 Lawley Genesee Agency 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 hands as such collector.

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

Vote:           Ayes: 4           Nays: 0

## **FINANCIAL REPORT:**

·The October and November 2015 Financial Reports were reviewed.

A **motion** was made by Councilman Cudney to approve the October and November 2015 Financial Reports as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

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

#### **NEWLY ELECTED OFFICIALS TRAINING:**

·Brian Forsyth, Fred Klycek and Jim Cudney will be attending the newly elected officials training in January in Rochester.

#### **ACTION SECURITY:**

·The Town's security system isn't compatible with Time Warner, so we need to put a cellular system in for the security system.

#### **MORTGAGE TAX:**

·The Town received \$15,389.08 from the County Treasurer for mortgage tax, which amount is \$9,807.98 over the budgeted figure.

#### **HIGHWAY DEPARTMENT:**

·Would like to replace wood block grating with steel grates in highway drainage trench. Received a quote from Ben Weitsman (\$3,997.95) and Klein Steel (\$4,158.96). After some discussion it was decided that they would purchase the grating from Klein Steel because there is less of a lead time.

#### **HIGHWAY DEPARTMENT STEEL GRATING:**

##### **RESOLUTION #81:**

Supervisor Yasses offered the following resolution and moved for its adoption:

***RESOLVED***, that the Byron Town Board hereby approves the purchase of steel grating for the highway garage drainage trench from Klein Steel in the amount of \$4,158.96.

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

Vote:                      Ayes: 4                      Nays: 0

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

Vote:                      Ayes: 4                      Nays: 0

### **OTHER BUSINESS:**

#### **TOWN ENGINEERS:**

##### **RESOLUTION #82:**

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

***Resolved***, that the Byron Town Board hereby appoints Chatfield Engineers, P.C. as the Town of Byron Engineering firm for 2016.

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

Vote:                      Ayes: 4                      Nays: 0

**WATER AUDIT:**

**RESOLUTION #83:**

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

***RESOLVED***, that the Byron Town Board hereby approves the Town of Byron Water Districts Audit for the year ended December 31, 2014 prepared by Raymond Wager, P.C., Certified Public Accountants.

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

Vote:                      Ayes: 4                      Nays: 0

**JUSTICE AUDIT:**

**RESOLUTION #84:**

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

***RESOLVED***, that the Byron Town Board hereby approves the Town of Byron Town Justice Audit for the year ended December 31, 2014 prepared by Raymond Wager, P.C., Certified Public Accountants.

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

Vote:                      Ayes: 4                      Nays: 0

A **motion** was made by Councilwoman Fuller to reappoint Joshua Kent to the Board of Assessment Review for a five (5) year term beginning October 1, 2015 – September 30, 2020. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

**WATER DISTRICT NO. 5:**

**WATER DISTRICT NO. 5 COMPLETION**

**RESOLUTION #85:**

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

***WHEREAS***, the construction of the improvements for the Town of Byron Water District No. 5 Project have been completed and approved by the NYS Department of Health; and

***NOW THEREFORE, BE IT RESOLVED***, that the Town of Byron accepts the project as constructed and hereby authorizes final payment to be made to the contractor.

***BE IT FURTHER RESOLVED***, that a NYS certified operator, Thomas F. Clark (NYSDOH Certificate # NY0029567), will operate the water system pursuant to the Agreement between the Town of Byron and the Monroe County Water and Sewer Authority.

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

Vote:                      Ayes: 4                      Nays: 0

**WATER DISTRICT NO. 6:**

·Bid opening was on November 5th. Low bidder was Randsco Pipeline, Inc.

## **WATER DISTRICT NO. 6 NYSDOT PERM 36 AGREEMENT**

### **RESOLUTION #86:**

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

**WHEREAS**, the Byron Town Board hereby approves of the NYSDOT PERM 36 Agreement, and authorizes the Town of Byron Supervisor to sign said agreement.

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

Vote:                      Ayes: 4                      Nays: 0

### **WATER DISTRICT NO. 7:**

·Still waiting for more income surveys to be returned prior to moving forward with legal petition. Adding from Caswell Road to Byron Road in the District.

### **BEAVER MEADOW/LYMAN/COWARD/FREEMAN/TRIPP ROAD WATER DISTRICT:**

·Need to do income surveys for this area.

### **GILLETT/IVISON/COCKRAM ROAD WATER DISTRICT:**

·Chatfield Engineers have done some cost estimates. Not everyone has sent in their income surveys.

### **COPIER:**

·The Town's lease with Toshiba expires January 1<sup>st</sup>. The Town can enter into a new lease with Toshiba for \$181.72 per month, which is \$2 lower than the current lease. Toshiba will supply the Town with a new copier.

## **COPIER LEASE AGREEMENT**

### **RESOLUTION #87:**

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

**WHEREAS**, the Byron Town Board hereby accepts the new lease agreement with Toshiba for the lease of a new copier in the amount of \$181.72 per month.

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

Vote:                      Ayes: 4                      Nays: 0

### **END-OF-YEAR MEETING:**

A **motion** was made by Councilman Thompson to set the end of year meeting for December 29, 2015 at 7:00 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

### **2016 ORGANIZATIONAL MEETING:**

A **motion** was made by Councilwoman Fuller to set the Organizational Meeting for January 6, 2016 at 7:00 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 4                      Nays: 0

**PUBLIC COMMENTS:**

NONE

**ADJOURN:**

A **motion** was made by Councilman Thompson to adjourn the Byron Town Board Meeting at 8:34 p.m. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote:           Ayes: 4           Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton  
Byron Town Clerk