

BYRON TOWN BOARD MEETING

February 8, 2012

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
	Jack Redick
	Scott Wooton
	Harold Austin
Highway Superintendent.....	George Heins
Town Clerk.....	Debra Buck-Leaton

Public:

Jim Cudney.....	Rte. 237, Byron
John Sackett.....	Rte. 262, Byron
Brad Nickerson.....	Cockram Road, Byron
Carrie Capostagno.....	Caswell Road, Byron
Jeffrey Starowitz.....	Rte. 237, LeRoy
Steve Lockner.....	Rte. 237, Byron
Robert Fite.....	Byron-Holley Road, Byron
Dan Stevens.....	Swamp Road, Byron
Deanna Schramm.....	Byron-Holley Road, Byron
Paul Carr.....	Coward Road, Byron
Brian Forsyth.....	Gillett Road, Byron
Scott Chismar.....	Cheektowaga, NY
Beth and Bob Wilson.....	Mill Pond Road, Byron
John Durand.....	Townline Road, Byron
Charles Durkee.....	Transit Road, Byron
Steven Sharpe.....	Lyman Road, Byron

PLEDGE TO THE FLAG:

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

OTHER BUSINESS:

2012 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 John Durand
South Byron Fire Chief Jim MacKenzie, Jr.
Byron Rescue Squad Brad Nickerson
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

MINUTES:

A **motion** was made by Councilman Redick to approve the Byron Town Board Organizational and regular minutes of January 11, 2012 as written. The motion was seconded by Councilman Wooton and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PLANNING BOARD REPORT:

·Bulk land transfer for Nora Sands

HIGHWAY SUPERINTENDENT'S REPORT – George Heins:

·Trimming trees
·Received letter from NYSDOT regarding Pumpkin Hill. They are going to look at reducing the speed limit on Pumpkin Hill and restricting passing.

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: 5 Nays: 0

CEO/ZEO REPORT:

Number of Inspections: 10
Number of Zoning/Building Permits Issued: 1
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: 0
Total Hours for the Month: 84

·In the process of scheduling annual fire inspections of town wide public assemblies.
·Continue to work with the Planning Board as a resource 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: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Redick:

·George Squires will be taking over duties of gate keeper
·Would like Town Board's input regarding putting railing on dock at Trestle Park. According to Carrie Capostagno there is no more funding available through Lowe's.
·There will be a parade on Memorial Day, but there will not be any church activities, so the Park Committee is trying to decide when and where to have the duck race.

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

Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION #30:

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	#2	#33 - #55	\$31,818.71
Highway Fund	#2	#13 - #30	\$29,526.86
Sewer Fund	#2	#4 - #13	\$ 5,565.76
General Fund	#PA-2	#4 - #9	\$ 1,171.66
Sewer Fund	#PA-2	#2	\$ 594.16
Fire District No. 1	#1	#1	\$74,000.00
Fire District No. 2	#1	#1	\$74,000.00

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

Vote: Ayes: 5 Nays: 0

TOWN CLERK'S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 76.00
Paid to the Town of Byron Supervisor.....	<u>\$2,704.40</u>
Total Disbursed for January 2012.....	\$2,780.40

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

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

·The Financial Reports for January 2012 were reviewed.

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

Vote: Ayes: 5 Nays: 0

SUPERVISOR'S REPORT:

·Received 4th Quarter Sales Tax check in the amount of \$147,586.70, which is \$6,614.33 over last year's 4th quarter figure.

·Received Mercy EMS Report

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

Vote: Ayes: 5 Nays: 0

Supervisor Crnkovich made the following statement regarding the letters sent out to surrounding fire departments:

During the public hearing on the fire contracts comments were made by the President of the South Byron Fire Department stating that the South Byron Fire Department probably would not sign the fire contract.

The foremost priority of the Town Board is to provide public health and safety for our community, coupled with fiscal responsibility. On that basis, the town Board decided to send a letter to neighboring fire departments with regard to the cost of providing fire protection to the Town in the event that the Byron and South Byron Fire Departments would not sign the current year's fire contracts. The letters were not immediately sent out as the fire contracts were eventually signed by both fire departments.

The letters were recently sent out to the neighboring fire departments as a means to prepare in advance for the 2013 budget year. The Town Board is obligated to ensure the Town of Byron has adequate fire protection and emergency services that taxpayers can afford, and that is the only intent of the letters.

The Town Board expects that in the future the fire departments be prepared to negotiate in good faith, and include a detailed budget submission, which should also include a report of the number of calls with response times, and any and all other departments which respond. We also expect that there will be substantial progress in the consolidation process and there will be a full, complete and accurate report of that progress.

PUBLIC COMMENTS:

Steven Sharp:

- The Town Board purposely excluded Byron and S. Byron Fire Departments in the RFP's which went against General Municipal Law. RFP should have been published in newspaper.
- The Town Board went into executive session illegally
- The Town Board could face criminal charges and fines

Pete Yasses:

- What did the Town Board intend to accomplish by sending out the letters?
- S. Byron Fire Department just bought new truck and what are they supposed to do with it if they don't provide fire service for the Town?

John Durand:

- The fire departments would like the Town to apply for a grant for a consultant to study feasibility of consolidating.

Jeff Starowitz:

- The President of the S. Byron Fire Department didn't have the authority to say the fire department probably wasn't going to sign the contract.

ADJOURN:

A **motion** was made by Councilman Wooton to adjourn the Byron Town Board Meeting at 7:47 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