

BYRON TOWN BOARD MEETING

March 8, 2017

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
Highway Superintendent.....	Brian Forsyth
Town Clerk.....	Debra Buck-Leaton
Absent.....	Councilman Klycek

Public:

Bill and Barb Emerson.....Terry Street, Byron

Candace Hensel.....Rte. 237, Byron

Beth Wilson.....Mill Pond Road, Byron

John and Jean Sackett.....Townline Road, Byron

Corky and Pat Shaw.....Townline 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 February 8, 2017 as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PLANNING BOARD REPORT – Councilman Cudney:

·Special Use Permit for Stanley's on Warboys Road for windmill which did not meet the height requirement. Planning Board approved the Special Use Permit last night.

A **motion** was made by Councilwoman Fuller 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

COMPREHENSIVE COMMITTEE REPORT –Councilman Cudney and Councilwoman Fuller:

The committee made a motion to do a mailing to all houses in the Town.

Councilwoman Fuller advised the committee that Wendell needs to be more involved in the process and there needs to be more communication between Wendell and the committee.

·It was decided that the Town Board will not make any decisions regarding a mailer until they speak with George Squires.

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

Vote: Ayes: 4 Nays: 0

SEWER REPORT:

Monthly:

- Checked and maintained all filter bed pumps (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:

- Switched valving at each filter bed
- Call out for high level alarm at 6427 Mill Pond Road. Had to replace on float

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

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT'S REPORT – Brian Forsyth:

- Minimal amounts of snow but a lot of mixed events
- Started cutting trees again
- Cleaned intersection and ditch line Gillett and Ivison for visibility looking north
- Had help from and gave help to County Highway at Hayes trees Ivison and 262
- Leftover afternoon with County pruned around lines on Mechanic Street in South Byron
- Other days working on front flaps for plows...rubber donated by county line stone
- Signed shared services agreement with NYS DOT for 2 years one year expired December 2016
- Need to discuss Snow and Ice contract for extension through June 30, 2019.
- Future or now..Flags already ordered 13 poles \$25 and 7 flags \$25

EXTENSION OF SNOW AND ICE AGREEMENT RESOLUTION #33:

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

WHEREAS, the Town Board of the Town of Byron on March 8, 2017 makes a resolution to approve the extension to Snow & Ice Contract No. D009591 between the State of New York and the Town of Byron for snow and ice control. The contract was previously to expire on June 30, 2018 and will now, upon approval of this extension, expire on June 30, 2019 unless further extended. The contract will be for \$22,628.15.

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 approve the Highway Superintendent's Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT:

Number of Inspections: 13
Number of Zoning/Building Permits Issued: 4
Number of Land Separations: 2
Number of Special Use Permit Applications: 1
Number of Building C.O./C.C. Issued: 5
Number of Zoning Complaints Filed: 0
Number of Zoning Complaints Resolved: 0
Number of Stop Work Orders Issued: 0

·Will be attending the 2017 twenty four hour required certification training from 3/13/17 through 3/16/17 in Henrietta, NY.

Supervisor Yasses: The CEO/ZEO has decided to resigned effective March 29, 2017. The Supervisor will contact Gene Sinclair in the Town of Stafford to see if he can help us until we find someone to fill the position.

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

A **motion** was made by Councilwoman Fuller to accept the resignation of Ken Kuter, the CEO/ZEO with deep regret. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 4 Nays: 0

A **motion** was made by Councilwoman Fuller to advertise the position of CEO/ZEO. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PARK COMMITTEE REPORT – Councilman Cudney:

·Reviewed the gate keeper and Port-O-John request for quotes.

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

ABSTRACTS

RESOLUTION #34:

Councilwoman Fuller 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	#3	#57 - #77	\$31,917.62
Highway Fund	#3	#31 - #44	\$26,601.12
Sewer Fund	#3	#6 - #8	\$ 3,727.69
General Fund	PA#2	#5 - #12	\$ 1,969.70
Sewer Fund	PA#2	#3 - #4	\$ 654.17

Councilman Cudney 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.....	\$ 62.00
Paid to NYS DEC.....	\$ 4.72
Paid to NYS Comptroller for Games of Chance.....	\$ 15.00
Paid to NYS Department of Health for Marriage Licenses.....	\$ 22.50
Paid to the Town of Byron Supervisor.....	<u>\$2,608.28</u>
Total Disbursed for February 2017.....	<u>\$2,712.50</u>

A **motion** was made by Councilman Thompson to approve the Town Clerk's Report as given for February, 2017. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORT:

·The January and February 2017 Financial Reports were reviewed.

A **motion** was made by Councilman Thompson to approve the January and February 2017 Financial Reports as written. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SUPERVISOR'S REPORT:

- Enforcement of Source Separation and Recycling Law
- Received check in the amount of \$59,848.01 for Snow and Ice on County Roads
- Received Cable Franchise check in the amount of \$4,877.05
- Cable Franchise Agreement – Set Public Hearing for April 12, 2017 at 7:00 p.m.
- Highway Referendum did not pass and only 2 members of the committee want to remain.

The Town Board will look at forming a new committee.

A **motion** was made by Councilwoman Fuller to hold a Public Hearing on the Cable Franchise Agreement on Wednesday, April 12, 2017 at 7:00 p.m. at the Byron Town Hall. The motion was seconded by Councilman Cudney and carried with the following vote:

Vote: Ayes: 4 Nays: 0

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

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

WATER DISTRICT NO. 7:

·Town Attorney, Paul Boylan, is still working on the few additional documents that the Comptroller requested.

WATER DISTRICT NO. 8:

- Well Surveys have gone out to residents.
- The Town Board needs to close the SEQR by issuing a Negative Declaration

WATER DISTRICT NO. 8 – SEQR - NEGATIVE DECLARATION RESOLUTION #35:

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

WHEREAS,

- 1) In accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Byron announced its intent to serve as Lead Agency on January 11, 2017, to conduct an environmental review of public water supply improvements within the Water District No. 8 service area. The project will ensure a safe and reliable potable water supply and fire protection for area residents and businesses.
- 2) The Town Board has determined that the proposed action is a Type I action as defined under SEQR, as portions of the project are located in a Genesee County Agricultural District.
- 3) The Town Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
- 4) On January 17, 2017, the Town Board notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the full Environmental Assessment Form. None of the Involved Agencies objected to the Byron Town Board serving as Lead Agency for this project. The Town will obtain all necessary permits and approvals from Involved Agencies and will comply with agency requirements.
- 5) The Town Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED,

The Town Board of the Town of Byron declares that it will serve as Lead Agency for the water system improvements proposed in Water District No. 8; and,

The Town Board declares that, based on the Environmental Record which has been prepared, the project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project, and the Town Supervisor is hereby authorized and directed to prepare and issue, on behalf of the Town, the form entitled “Negative Declaration Notice of Determination of Non-Significance.”

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

Vote: Ayes: 4 Nays: 0

WATER DISTRICT NOS. 9 AND 10:

·Waiting for income surveys.

PUBLIC COMMENTS:

Corky Shaw: Is highway garage overhead door going to be replaced?

Supervisor Yasses: It is on order.

ADJOURN:

A **motion** was made by Councilman Cudney to adjourn the Byron Town Board Meeting at 8:26 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