

BYRON TOWN BOARD MEETING

April 10, 2013

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

Deputy Supervisor/Highway Superintendent.....	George Heins
Councilmen.....	Jeff Thompson
	Jack Redick
	Scott Wooton
	Harold Austin
Town Clerk.....	Debra Buck-Leaton
Absent.....	Supervisor Crnkovich
Invited Guests.....	Paul Chatfield, Chatfield Engineers
	Scott Madison, Chatfield Engineers
	Steve Savage, Monroe County Water Authority
Public:	
Sue Fuller.....	Cockram Road, Byron
Charles Durkee.....	Transit Road, Byron
Bill and Barb Emerson.....	Terry Street, Byron
Eric Zuber.....	Tower Hill Road, Byron
Mickey Truax.....	Swamp Road, Byron
David Chupp.....	Tripp Road, Byron
George Squires.....	McElver Street, Byron
Jim Cudney.....	Rte. 237, Byron
Pete and Michelle Yasses.....	Rte. 237, Byron

PLEDGE TO THE FLAG:

Deputy Supervisor Heins led the people in attendance in the Pledge of Allegiance.

MINUTES:

A **motion** was made by Councilman Austin to approve the Byron Town Board minutes of March 13, 2013 as written. The motion was seconded by Councilman Redick and carried with the following vote:

Vote: Ayes: 4 Nays: 0

PLANNING BOARD REPORT – Eric Zuber:

·The Planning Board has had 2 public meetings and basically made no changes except for a couple of typos and one setback that needed to be changed. The Planning Board would like to have the Town Board accept the Proposed Zoning Law so that it can be sent to County Planning for their approval.

A **motion** was made by Councilman Austin to approve the Proposed Zoning Law, and requests that the Planning Board remit the Proposed Zoning Law to the Genesee County Planning Board for its review. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT:

Number of Inspections: 12
Number of Zoning/Building Permits Issued: 5
Number of Land Separations: 1
Number of Building C.O./C.C. Issued: 3
Number of Zoning Complaints Filed: 2
Number of Zoning Complaints Resolved: 1

·Special Use Permit SUP 01-13 for a home occupation to allow in house hair salon has been approved by Resolution of the Planning Board on 4/2/2013.

·Completed required training on March 18th thru March 21st in Henrietta.

ABSTRACTS

RESOLUTION #41:

Councilman Wooton 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	#4	#78 - #105	\$ 6,498.91
Highway Fund	#4	#49 #63	\$15,943.64
Sewer Fund	#4	#10 - #11	\$ 2,975.08
General Fund	PA#5	#23	\$ 497.82
General Fund	PA#6	#24 - #31	\$ 3,029.08
Sewer Fund	PA#4	#4	\$ 580.48
Sewer Fund	PA#5	#5	\$ 569.60
Water District #2	#1	#1	\$ 2,750.00

Councilman Austin seconded the resolution which was not adopted by the following vote:

Councilman Wooton: Aye
Councilman Austin: Aye
Councilman Thompson: Nay
Councilman Redick: Nay

·Councilman Thompson and Councilman Redick had questions regarding union negotiations and Attorney David DiMatteo's bill regarding the negotiations.

·According to Superintendent Heins and Councilman Wooton, Attorney David DiMatteo is preparing to take the union negotiation matter to arbitration. Several attempts have been made to negotiate with the union to no avail.

·Councilman Thompson believes the \$4,000 spent to pay Attorney DiMatteo would have been better spent paying the union employees their raises and settling the contract.

A **motion** was made by Councilman Thompson to approve a Union Contract with the highway employees to include a \$.40 raise to be paid retroactively, with all other provisions from the 2007-2010

Union Contract to remain the same. The Union Contract will be in effect until December 31, 2014. The motion was seconded by Councilman Redick and was not carried by the following vote:

Councilman Wooton: Nay
Councilman Austin: Nay
Councilman Thompson: Aye
Councilman Redick: Aye

Deputy Supervisor Heins refused to vote.

A **motion** was made by Councilman Thompson to pay all vouchers and abstracts as presented, except for General Abstract #4, Vouchers #78-#105, in the amount of \$6498.91. The motion was seconded by Councilman Redick and carried with the following vote:

Vote: Ayes: 4 Nays: 0

TOWN CLERK’S REPORT:

Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 66.00
Paid to DEC for Hunting/Fishing Licenses.....	\$ 54.80
Paid to the State Comptroller for Games of Chance.....	\$ 15.00
Paid to the Town of Byron Supervisor.....	<u>\$3,190.60</u>
Total Disbursed for March 2013.....	<u>\$3,326.40</u>

A **motion** was made by Councilman Thompson to approve the Town Clerk’s Report as given for March, 2013. The motion was seconded by Councilman Redick and carried with the following vote:

Vote: Ayes: 4 Nays: 0

SUPERVISOR’S REPORT:

- Received Mercy EMS Response Time Report for February 2013.
- Received check from Time Warner Cable in the amount of \$9,597.68
- Received check in the amount of \$50,819.68 for County Snow and Ice.
- The Supervisor received a letter from USDA Rural Development stating that they will accept the income surveys previously received for the Swamp Road Water District.

OTHER BUSINESS:

FUTURE WATER DISTRICTS – Paul Chatfield:

SEE ATTACHED INFORMATION FROM PAUL CHATFIELD OF CHATFIELD ENGINEERS, P.C. REGARDING PROPOSED FUTURE WATER DISTRICTS

SWAMP ROAD WATER DISTRICT:

- Paul Chatfield will revise Preliminary Engineering Report and send it to Town Attorney, Paul Boylan, and then Paul Boylan will prepare the final petition. A landowner will then have to take the Petition around to residents to have it signed.

PROPOSED WATER DISTRICT INCOME SURVEYS

RESOLUTION #42:

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

Resolved, that the Byron Town Board hereby authorizes the Supervisor to sign the Proposal for Services with Stuart Brown in the amount of \$1,500.00, plus postage, to prepare income surveys for Town of Byron proposed water districts to include: Warboys Road Water District, Lyman Road Water District, N. Byron Road Water District and Byron Road Water District.

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

Vote: Ayes: 4 Nays: 0

WATER DISTRICT AUDIT

RESOLUTION #43:

Councilman Thompson 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 year ended December 31, 2012 prepared by Raymond F. Wager, CPA, P.C.

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

Vote: Ayes: 4 Nays: 0

PUBLIC COMMENTS:

Pete Yasses: He saw on the Teitsworth Auction that the Town was selling some generators.

Superintendent Heins: They were the sewer generators. One got hit by lightning and the rest have been replaced with propane.

ADJOURN:

A **motion** was by Councilman Austin to adjourn the Byron Town Board Meeting at 8:55 p.m. The motion was seconded by Councilman Wooton and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk