

BYRON TOWN BOARD MEETING

June 8, 2011

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.....	Jeanne Freeman
	Jack Redick
	John Ivison
Town Clerk.....	Debra Buck-Leaton
CEO/ZEO.....	Ken Kuter

Absent:

Councilman Jeff Thompson
Highway Superintendent George Heins

Invited Guests:

Paul Boylan, Town Attorney
Felipe Oltremari, Genesee County Planning Department

Public:

Bill and Barb Emerson.....	Terry Street, Byron
Mickey Truax.....	Swamp Road, Byron
Jim Cudney.....	Rte. 237, Byron
Brian Forsyth.....	Gillett Road, Byron
George Squires.....	6860 McElver Street, Byron
Laura Bestehorn, Planning Board Secretary.....	Rte. 237, Byron
Roger Rouse, Planning Board Chairman.....	Lyman Road, Byron

PLEDGE TO THE FLAG:

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

MINUTES:

A **motion** was made by Councilman Ivison to approve the Byron Town Board minutes of May 11, 2011 as written. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – George Heins:

·Received check in the amount of \$3,406.00 for snow fence from NYS

AMENDMENT B TO STATE SNOW AND ICE AGREEMENT

RESOLUTION #40:

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

WHEREAS, the Town of Byron is under contract with the New York State Department of Transportation to provide snow & ice control on specified State roads within the Town and,

WHEREAS, the base agreement was extended for the 2011/2012 season by Resolution No. 56, dated May 12, 2010, setting an estimated total cost for the season at \$37,197.17 and

WHEREAS, due to the severity of the winter and the high cost of fuel during 2009/2010, the total cost to perform this service is estimated at \$47,264.74.

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town Supervisor to execute an Amendment to the present Agreement. Said Amendment would increase the estimated cost to perform snow and ice control for the 2009/2010 season by \$10,067.57.

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

Vote: Ayes: 4 Nays: 0

WASTE WATER REPORT:

Compliance

Passed all requirements

Finished Projects

- Took weekly samples
- Took monthly samples
- Monthly reports
- Exercised generators, checked fluids
- Took meter readings
- Called in to Center Byron and McElver Street for a high water alarm due to heavy rain, set up 3rd pump at lift station.

Future Projects

- Inventory
- Replace pumps
- Continue preventative maintenance program
- Replace panel box at old school house

A **motion** was made by Councilman Redick to approve the Waste Water Report as written. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 4 Nays: 0

CEO/ZEO REPORT:

Number of Inspections: 30
Number of Zoning/Building Permits Issued: 18
Number of Special Use Permit Applications: 0
Number of Land Separations: 0
Number of Building C.O./C.C. Issued: 4
Number of Zoning Complaints Filed: 0
Number of Zoning Complaints Resolved: 2
Total Hours for the Month: 80

- Continue to work with the Planning Board as a resource on the Zoning Ordinance update.
- Working with owners of Playmates International to make exterior repairs to bring property into compliance (siding and egress).

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 – Councilman Redick:

- Boy Scouts cleaned Trestle Park grounds during their recent camp-out.

- Checking into upgrading electric service at Firemen’s Park
- Chad Huhn, landowner on Rte. 262 next to creek, is concerned about liability issues with duck race on creek, which he believes is his property. The assessor will look into property line issue.

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

Vote: Ayes: 4 Nays: 0

ABSTRACTS

RESOLUTION #41:

Councilwoman Freeman 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	#6	#129 - #152	\$17,600.84
Highway Fund	#6	#87 - #101	\$ 9,072.52
Sewer Fund	#6	#22 - #34	\$ 5,608.45
General Fund	#PA-6	#17 - #21	\$ 1,243.30
Sewer Fund	#PA-5	#5	\$ 727.92

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

Vote: Ayes: 4 Nays: 0

TOWN CLERK’S REPORT:

Paid to NYS Ag. & Markets for spay/neuter program.....	\$ 61.00
Paid to Byron Park Committee for Pavilion Rental.....	\$ 100.00
Paid to DEC for hunting and fishing licenses.....	\$ 33.72
Paid to NYS Dept. of Health for Marriage Licenses.....	\$ 90.00
Paid to the Town of Byron Supervisor.....	<u>\$3,668.25</u>
Total Disbursed for May 2011.....	\$3,952.97

A **motion** was made by Councilman Ivison to approve the Town Clerk’s Report as given for May, 2011. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

FINANCIAL REPORTS:

A **motion** was made by Councilman Ivison to have the Supervisor write a letter to Baldwin Associates urging them to have the monthly financial reports to the Town Board in ample time for the Town Board to review them prior to the Board meeting. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

OTHER BUSINESS:

REVIEW OF PRELIMINARY ZONING ORDINANCE – Town Attorney Paul Boylan:

- Would like to meet with the Planning Board regarding changes which he feels need to be made. (6/21/11 at 8:00 p.m.)
- Felipe from the Genesee County Planning Board should also attend.
- The Town needs to have a public hearing to review the revised Zoning Ordinance with the public.
- There was a question/answer/discussion session regarding the revised Zoning Ordinance.

WATER DISTRICT NO. 1 EXCESS FUNDS

RESOLUTION #42:

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

WHEREAS, Water District No. 1 unexpended balance from first year debt service, interest and remainder construction funds will be used to compliment annual debt charges to use approximately \$10,000.00, more or less, each year and expend all remaining funds by the year 2021. The district has approximately \$150,662.00 at the end of 2010 audit. There is \$141,156.73 in current CD as of June 4, 2011. This plan is recommended by auditors of Raymond Wager, CPA, PC, 1020 Lehigh Station Road, Henrietta, New York 14467.

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

Vote: Ayes: 4 Nays: 0

PUBLIC COMMENTS:

Councilman Ivison: Disagrees with Supervisor Crnkovich's letter to the union representative dated May 24, 2011 regarding in-lieu of payments.

ADJOURN:

A **motion** was made by Councilman Ivison to adjourn the Byron Town Board Meeting at 8:04 p.m. The motion was seconded by Councilwoman Freeman and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk