

RECAPTURE OF GRANT AWARD MONEY:

Councilman Felton: He feels that it would be a mute point to try to recapture any grant award money from residents who are selling property in Water District No. 2 before the three years recapture period.

PLANNING BOARD REPORT –Councilman Ivison:

- Planning Board had a discussion regarding outdoor boilers in the hamlet of Byron, and the need for a moratorium for the control of such boilers within the hamlet.
- Land Separation for Jim Northup on Ivison Road was approved
- Gerry Ivison resigning from Planning Board

A **motion** was made by Councilman Felton to accept the resignation of Gerry Ivison, Chairman of the Planning Board, effective September 1, 2008, with regret. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilman Ivison to appoint Roger Rouse as Chairman of the Planning Board. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilman Felton to appoint Jack Redick as a permanent member of the Planning Board. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PUBLIC HEARING ON PROPOSED LOCAL LAW FOR THE CONTROL AND REGULATION OF OUTDOOR SOLID FUEL BURNING FURNACES
RESOLUTION #85:

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

Resolved, that the Town Board of the Town of Byron hereby calls for a Public Hearing to be held regarding a local law for the control and regulation of outdoor solid fuel burning furnaces on Wednesday, September 10, 2008 at 7:00 p.m. The Public Hearing will be held in the Town Board room in the Town Hall at 7128 Rte. 237 in said Town of Byron. Councilman Ferguson seconded the resolution which was adopted by the following vote:

Vote: Ayes: 5 Nays: 0

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

Vote: Ayes: 5 Nays: 0

HIGHWAY SUPERINTENDENT’S REPORT – George Heins:

·Department of Labor was here Monday and Tuesday. They are mainly concerned with electricity. He found a few citations and will get the report to the Town in a couple of weeks.

·1999 International Truck: Dash shorted out, front pinion seal broken and air valves leaking. Two trucks will also need new tires. Repair account is running low.

·Repaired dock on Turtle Pond. Superintendent Heins purchased lumber and cut it, while the Park Committee put in the dock.

·Old Salt Barn: the floor of the old salt barn is deteriorating and the County Highway is going to blacktop the floor.

·Salt: Councilman Ivison and Councilman Ferguson believe the Town should purchase the maximum amount of salt possible at the current price.

Superintendent Heins: Uses an average of 2,000 tons of salt per year. There is 300 ton remaining from last year. 1300 ton would be the maximum the salt buildings could hold. The current price is \$29.93/ton until the end of August. The price is going to \$38.98/ton through September 1, 2009.

A **motion** was made by Councilman Ivison to purchase 1300 tons of salt at a price of \$29.93/ton out of fund H3 Salt Barn Fund, reimbursement for highway equipment and labor usage. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

A **motion** was made by Councilman Felton to approve the Highway Report as given. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

WASTE WATER REPORT – Robert Cudney:

·Swamp Road trailer park septic tanks are complete.

·South Byron Methodist Church – The church is proposing an addition of a lift. It is necessary to relocate the septic tank as the current location of the 1500 gallon tank is in the way. With a history of inspections and pumping at this facility over the years, it is evident that accumulated solids and grease was at a minimum, in fact, less than most residential dwellings. Available tank location are in parking areas, meaning highway rated tanks are necessary. These tanks are very expensive, therefore, researching what is needed with professional evaluation seemed relevant to this situation. Oversizing the tank would significantly increase initial cost to the church and upon acceptance, to the town later. In discussing the water usage now available to the town as reference with PM Engineers several weeks ago, data could be relevant in determining what is needed for replacement. Based on the revised engineers report, and history documents, a reduction in tank size seems appropriate for this installation. A 1000 gallon highway rated tank along with an A300 Effluent filter was recommended as adequate. Conclusion: Based on the engineer’s report, I completed the permit process for the sewer district with contact and inspections necessary for the completion of this project. A copy of the engineer’s report is on file here at the town building for future reference. The initial cost

to the church and future cost to the town will be greatly reduced, yet appropriate. To replace the 1500 gallon tank – approximately \$4,600 ST-1500-T. Engineer’s report 1000 gallons approximately \$2,200 ST-1000-T

·Reports continue to look good at all three facilities.

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

Vote: Ayes: 5 Nays: 0

CEO/ZEO REPORT:

- Number of Inspections: 22
- Number of Zoning Permits: 2
- Number of Building Permits Issued: 2
- Number of Land Separations: 0
- Number of Building C.O./C.C. Issued: 3
- Number of Zoning Complaints Filed: 3
- Number of Zoning Complaints Resolved: 4
- Total Hours for the Month: 68

·Cole Road property has been cleaned up and the Town has received a bill for \$425.00 from Becker Excavating. A copy of the bill has been sent to the owners of the property for payment. If the bill is not paid it will be releived on the 2009 Town/County taxes.

·A discussion ensued regarding the hiring of a Deputy CEO/ZEO. Supervisor Chapell and CEO/ZEO Ken Kuter have met with Scott Flagler, Fire Marshall for the Town of Riga and Village of Churchville, to discuss having him be the Town of Byron Deputy CEO/ZEO. Scott Flagler would be used as the CEO/ZEO if Ken Kuter was unavailable.

·The Town Board would like Supervisor Chapell to find out whether a Shared Services Agreement would be necessary with the Town of Riga and Village of Churchville before proceeding.

A **motion** was made by Councilman Felton to approve the CEO/ZEO report as written. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

ASSESSOR’S REPORT: Barry Flansburg

·Included in the vouchers this month are two for my attendance to the annual New York State Assessor’s Conference in the Hudson Valley. The first is for \$175, which is the conference registration fee. This will be reimbursed by the State after completion of the conference. The second is the \$200 deposit for the room for the four days. Balance due will come from the hotel voucher after the conference. The cost includes room and meals. The State will reimburse about 80% of this cost. Each year that I attend, I have a different town cover the expense and get the reimbursement with no charge to the other

towns. Barre was 2006, Oakfield was 2007, and Byron will be 2008. I get reimbursed directly from the State for mileage.

·At the conference this year, I am going to be elected to the Executive Board of the New York State Assessor’s Association. I served on this Board from 1998-2001, and it proved to be an excellent advantage to the towns as I am able to be involved in the latest events in assessing so that the towns can stay on top of changes.

·The CAP agreement has been filed with Albany, and we will be able to apply for the extra aid payment once the 2009 assessment roll is filed on July 1, 2009. Do not put that extra income in the 2009 budget as revenue. The State says the town will get the money, but do not assume it will make it by the end of 2009 as it comes out of the State’s year of April 2009 to March 2010. Please let me know if you need any further information.

A **motion** was made by Councilman Ivison to approve the Assessor’s report as written. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

PARK COMMITTEE REPORT – Councilman Felton:

- Merry-go-round is painted and working
- They are going to rent a port-a-john for Fireman’s Park
- They are still working on a wish list for grants
- According to the DEC Mill Pond is all wetlands, so dredging of the pond is not an option.
- Investigating the cost of a shelter at Trestle Park.

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

Vote: Ayes: 5 Nays: 0

ABSTRACTS

RESOLUTION #86:

Councilman Ferguson 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	#8	#169 - #192	\$ 11,684.20
Highway Fund	#8	#109 - #123	\$ 56,793.66
Sewer Fund	#8	#69 - #74	\$ 1,390.59
General Fund	#PA-12	#36 - #40	\$ 1,375.85
General Fund	#PA-13	#41 - #45	\$ 12,651.40
Sewer Fund	#PA-7	#13 - #14	\$ 425.24
Highway Fund	#PA-3	#3	\$ 5,334.42

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

Vote: Ayes: 5 Nays: 0

TOWN CLERK'S REPORT:

Paid to the Byron Park Committee for Park Rental.....	\$ 70.00
Paid to the Genesee County Treasurer for Dog Licenses.....	\$ 39.95
Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 15.00
Paid to the NYS Environmental Conservation.....	\$ 91.68
Paid to the NYS Department of Health for Marriage Licenses.....	\$ 67.50
Paid to the Town of Byron Supervisor.....	<u>\$ 3,002.22</u>
Total Disbursed for July 2008.....	\$ 3,286.35

Town of Byron Fire Relief Fund:

·Raised \$600 from the benefit concert for the four families of the fire on Townline Road, making the total donations to the four families \$1,037 each.

Heritage Festival:

·Raised \$2,310 from donations and the day of the event. Expenses were \$1,549.76. The Heritage Festival Committee would like to include more music and possibly fireworks next year.

Summer Youth Recreation Program:

·Average of 20-25 children have been attending each day
·I have contacted the Genesee County Youth Bureau regarding 2009 funding and we are to expect the same funding as last year, with the possibility of a 2% decrease from last year.

A **motion** was made by Councilwoman Freeman to approve the Town Clerk's Report as given for July 2008. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 5 Nays: 0

FINANCIAL REPORT:

·The financial reports were reviewed for July 2008.

A **motion** was made by Councilman Felton to approve the July 2008 Financial Reports as given. The motion was seconded by Councilman Ivison and carried with the following vote:

Vote: Ayes: 5 Nays: 0

OTHER BUSINESS:

COMPREHENSIVE PLAN:

·Next meeting will be Tuesday, August 19th. Gerry Ivison will remain on the Comprehensive Plan Committee.

CHAMBER OF COMMERCE 2009 VISITOR GUIDE:

A **motion** was made by Councilman Felton not to participate in the 2009 Chamber of Commerce Visitor Guide. The motion was seconded by Councilman Ferguson and carried with the following vote:

Vote: Ayes: 5 Nays: 0

SALT BARN ROOF UPDATE:

·Two men have been approved by the County, and work will begin soon.

BUDGET:

Letters have gone out to all department heads and are due back by September 5th

Fred Read: Wondered if anyone has had any discussion regarding the ditch behind his house and including money in the 2009 budget for the project.

Councilman Ferguson: There have been discussions regarding the ditch, but it probably won't be done during the good weather season

PUBLIC COMMENTS:

John Sackett: Is all CEO/ZEO paperwork now kept at the Town Hall?

Councilman Felton: Yes

John Sackett: Have there been complaints regarding outdoor boilers?

Councilman Felton: No, but the Town is trying to be proactive. The Town is trying to keep residents from having to remove boilers after complaints from neighbors. All the Town is trying to do is get six months to investigate these boilers.

John Sackett: He is against all grants, except for those for sewer, water and public transportation. If you can't do a project without a grant, you should do without the project.

Sue Fuller: Received letters from Eric Weis that the Genesee County Health Department will be testing water on Cockram Road and Ivison Road

Superintendent Heins: Pumpkin Hill Veterinary clinic received water on July 16th.

SUPERVISOR'S REPORT:

·Building Committee meets on August 20th

·Water Committee meets on August 18th

·Eric Weis will be at meeting next month to discuss Water District No. 5

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

Vote: Ayes: 5 Nays: 0

ADJOURN:

A **motion** was made by Councilman Ivison to adjourn the Byron Town Board Meeting at 8:05 p.m. The motion was seconded by Councilman Felton and carried with the following vote:

Vote: Ayes: 5 Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk